

DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON FRIDAY, 29 JULY 2022 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) |
| | Ms J Samson | (Executive Director: Planning, Development and Human Settlements) |
| | Mr G Esau | (Executive Director: Community Services) |
| | Mr C Lötz | (Acting Executive Director: Engineering Services) |
| | Ms R Jaftha | (Chief Executive Audit) |
| | Ms R Geldenhuys | (Manager: Communications) |
| | Mr G Dippenaar | (Chief Risk Officer) |
| | Mr F P Goosen | (Manager: Administrative Support Services) |
| | Mr P January | (Senior Administrative Officer) |

ABSENT: Councillors (see attendance register)



| |
|---------------------------------|
| 1. APPLICATION FOR LEAVE |
| AANSOEK OM VERLOF |
| INGXELO NGU SOMLOMO |

1. Cllr C O Davids - Apology;
2. Cllr BP Duba - Apology;
3. Cllr S Gravel - Apology;
4. Cllr B Jacobs - Apology;
5. Cllr M Jacobs - Apology;
6. Cllr S J Liebenberg - Apology;
7. Cllr T C Mangena - Apology; and
8. Cllr A M Richards - Apology.

| |
|-----------------------------------|
| 2. DISCLOSURE OF INTERESTS |
| VERKLARING VAN BELANGE |
| UKUBHENGEZA KOMDLA |

None.

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

The Speaker made the following announcements:

1. Held a moment of silence for the passing of former councillor Johann von Wielligh as well as Mr W Julies, a well-known sport personality;
2. Informed councillors that they already received a memorandum explaining the process and a link to the electronic declaration form. Reminded councillors that the declaration of interest is a legislative requirement, therefore, they need to declare in full and that they need to submit the completed forms electronically by not later than Monday, 8 August 2022;
3. Announced that Alderman Rean Smuts will retire with effect of 1 August 2022;
4. Informed the ward councillors that they have been furnished with a standard template for minutes of Ward Committees. Requested that all future minutes be submitted in that specific format;
5. Informed Council that an information session is scheduled for all ward councillors regarding the minutes and management model in the Council Chambers on 12 August at 10:00;
6. Informed councillors that they were contacted to verify the EPWP lists as soon as possible;



7. Informed council that the ward councillors need to collect the Constitution handbooks at the Speaker's office as only 49 are available; and
8. Congratulated councillors who celebrated birthdays in August.

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

1. The Executive Mayor announced the retirement of Ald R Smuts and wish him well in his future endeavours; and
2. The Executive Mayor extended well wishes to all teams participating in local school derbies in August.

| |
|---|
| 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 minutes of the meeting of the Mayoral Committee held on 22 June 2022 was noted.

| |
|-----------------------------------|
| 8. CONFIRMATION OF MINUTES |
| BEKRAGTIGING VAN NOTULES |
| UKUQINISEKISWA KWEMIZUZU |

The minutes of the meeting of the Ordinary Municipal Council held on 30 June 2022 was confirmed as correct.



26

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
29 JULY 2022

| |
|-----------------------------------|
| 9. ITEMS FOR CONSIDERATION |
| ITEMS VIR OORWEGING |
| IMIBA YOKUQWALASELWA |

| |
|--|
| 9.1 COUNCILLORS' OUTSTANDING DEBT REPORT AS AT 30 JUNE 2022 |
| RAADSLEDE SE UITSTAANDE SKULDVERSLAG SOOS OP 30 JUNIE 2022 |
| INGXELO YAMATYALA YOCEBA NGOBUNJALO NGOMHLA 30 ISILIMELA 2022 |

UNANIMOUSLY RESOLVED that

The report be noted.

| | | | |
|-------------------------------|---|--------------------------------|------------------|
| Meeting: Council – 29/07/2022 | Submitted by Department: Financial Services | | |
| Ref No: 9/1/1/4 | Author/s: A Abrahams | | |
| Coll No: 1968453 | Referred from: MC – 20/07/2022 | | |
| <u>PAR:</u> | <u>ACTION:</u> | <u>RESPONSIBLE DEPARTMENT:</u> | <u>DUE DATE:</u> |
| | | | |

| |
|--|
| 9.2 ANNUAL REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY: 1 JULY 2021 – 30 JUNE 2022 |
| JAARLIKSE VERSLAG VAN DIE IMPLEMENTERING VAN VOORSIENINGSKANAALBELEID: 1 JULIE 2021 - 30 JUNIE 2022 |
| INGXELO YONYAKA EKUMISELWENI KOMGAQO NKQUBO WE SUPPLY CHAIN: 1 JULAYI 2021 - 30 JUNE 2022 |

UNANIMOUSLY RESOLVED that

1. The content of this report be noted; and
2. The report be made public in accordance with section 21A of the Municipal Systems Act.

| | | | |
|-------------------------------|---|--------------------------------|------------------|
| Meeting: Council – 29/07/2022 | Submitted by Department: Financial Services | | |
| Ref No: 8/1/2/1 | Author/s: H Vergotine | | |
| Coll No: 1969722 | Referred from: MC – 20/07/2022 | | |
| <u>PAR:</u> | <u>ACTION:</u> | <u>RESPONSIBLE DEPARTMENT:</u> | <u>DUE DATE:</u> |
| 2. | Implement decision | Chief Financial Officer | |

DRAKENSTEIN MUNICIPALITY 27
MINUTES: COUNCIL/RAAD/IBHUNGA
29 JULY 2022

| | |
|------------|--|
| 9.3 | MANAGEMENT OF CONTRACTS AND CONTRACTORS PERFORMANCE IN TERMS OF SECTION 116(2) OF THE MUNICIPAL FINANCE MANAGEMENT ACT: 1 JULY 2021 UNTIL 31 MARCH 2022 |
| | DIE BESTUUR VAN KONTRAKTE EN PRESTASIE VAN KONTRAKTEURS IN TERME VAN ARTIKEL 116(2) VAN DIE WET OP MUNISIPALE FINANSIËLE BESTUUR: 1 JULIE 2021 TOT 31 MAART 2022 |
| | INGXELO YOLAWULO LWEZIKHONTRAKTHA KUNYE NOKUSEBENZA KWEKONTRAKTHI NGOKWECANDELO LE 116(2) LOMTHETHO WOLAWULO LWEZEZIMALI KAMASIPALA: 1 JULAYI 2021 UKUDE 31 MATSHI 2022 |

The VF Plus raised questions about the performance of the contractor appointed for the compilation and maintenance of the General Valuation Roll in relations to mistakes that were made. The Deputy Executive Mayor indicated that any mistakes would be rectified in a Supplementary Valuation Roll and councillors will be informed when said Supplementary Valuation Roll is completed.

UNANIMOUSLY RESOLVED that

The report on the management of contracts and the performance of contractors for the period 1 July 2021 until 31 March 2022 be noted.

| | |
|-------------------------------|---|
| Meeting: Council – 29/07/2022 | Submitted by Department: Financial Services |
| Ref No: 8/1/2/1 | Author/s: H Vergotine |
| Coll No: 1964350 | Referred from: MC – 20/07/2022 |
| <u>PAR:</u> | <u>ACTION:</u> |
| | <u>RESPONSIBLE DEPARTMENT:</u> |
| | <u>DUE DATE:</u> |

| | |
|------------|--|
| 9.4 | REPORT ON TENDER AWARDS: JUNE 2022 |
| | VERSLAG OOR TENDERTOEKENNINGS: JUNIE 2022 |
| | INGXELO NGONIKEZELO LWETHENDA: KWEYESILIMELA 2022 |

UNANIMOUSLY RESOLVED that

1. The awards above R200,000 that were adjudicated by the Bid Adjudication Committee for the month of June 2022, 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 – 29/07/2022 | Submitted by Department: Financial Services |
| Ref No: 8/1/2/1 | Author/s: C Hess |
| Coll No: 1967731 | Referred from: MC – 20/07/2022 |
| <u>PAR:</u> | <u>ACTION:</u> |
| | <u>RESPONSIBLE DEPARTMENT:</u> |
| | <u>DUE DATE:</u> |

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA 28
29 JULY 2022

| |
|---|
| 9.5 REPORT ON DEVIATIONS FROM PROCUREMENT PROCESSES: JUNE 2022 |
| VERSLAG VAN AFWYKINGS VAN VERKRYGINGSPROSESSE: JUNIE 2022 |
| INGXELO YOKUPHAMBUKELA KUNYE NOLUNGISO OLUNCINCI LOKUPHEPHELA KWINKQUBO ZOKUFUMANA: KWEYESILIMELA 2022 |

UNANIMOUSLY RESOLVED that

In terms of paragraph 36(2) of the SCM Policy, the deviations and the reasons for the deviations for the amount of R3,131,094 (incl. VAT) for June 2022 as recorded by the Accounting Officer under the annexures attached to this report, be noted.

| | |
|-------------------------------|---|
| Meeting: Council - 29/07/2022 | Submitted by Department: Financial Services |
| Ref No: 9/1/1/4 | Author/s: C Hess |
| Coll No: 1967747 | Referred from: MC - 20/07/2022 |
| <u>PAR:</u> | <u>ACTION:</u> |
| | |
| | <u>RESPONSIBLE DEPARTMENT:</u> |
| | <u>DUE DATE:</u> |

| |
|--|
| 9.6 EXTENSION OF CONTRACT PERIOD FOR TENDER T1/2019: RENDERING OF TRAFFIC LAW ENFORCEMENT EQUIPMENT, BACK OFFICE AND RELATED SERVICES |
| VERLENGING VAN KONTRAKPERIODE VIR TENDER T1/2019: LEWERING VAN VERKEERSWETSTOEPASSING TOERUSTING, ONDERSTEUNINGSDIENSTE EN VERWANTE DIENSTE |
| UKWANDISWA KWEXESHA LESIVUMELWANO NGETHENDA T1/2019: UKUNIKEZELWA KWESIXHOBO SOKUNYANZELA UMTHETHO WEZITHUTHI, I-OFISI ENGASEMVA NEENKONZO EZINXULUMENEYO |

UNANIMOUSLY RESOLVED that

The contract period for the appointment of TMT Services and supplies (Pty) Ltd be amended to the effect that it is for the period 1 September 2019 to 31 August 2022, which remains a period of 36 months.

| | |
|---------------------------------|---|
| Meeting: Council - 29/07/2022 | Submitted by Department: Community Services |
| Ref No: 8/3/1 (Traffic 01/2019) | Author/s: J Carolissen |
| Coll No: 1962308 | Referred from: MC - 20/07/2022 |
| <u>PAR:</u> | <u>ACTION:</u> |
| | Implement decision |
| | <u>RESPONSIBLE DEPARTMENT:</u> |
| | ED Community Services |
| | <u>DUE DATE:</u> |

DRAKENSTEIN MUNICIPALITY 29
MINUTES: COUNCIL/RAAD/IBHUNGA
29 JULY 2022

| |
|--|
| 9.7 MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 71 MONTHLY AND 52 QUARTERLY BUDGET MONITORING REPORT FOR JUNE 2022 |
| MUNISIPALE WET OP BESTUUR VAN FINANSIES: ARTIKEL 71 MAANDELIKSE EN 52 KWARTAALLIKSE BEGROTINGSMONITERINGSVERSLAG VIR JUNIE 2022 |
| UMTHETHO WOLAWULO LWEMALI KAMASIPALA: ICANDELO 71 INGXELO YOKUBEKA ESWENI ULAWULO LWABIWO-MALI LUKAJUNI 2022 |

UNANIMOUSLY RESOLVED that

1. The content of the section 71 monthly budget monitoring report for June 2022 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. It be noted that the section 71 monthly and 52 quarterly budget monitoring report for June 2022 was submitted to the Executive Mayor, National Treasury and Provincial Treasury on 14 July 2022, being the 10th working day after the end of June 2022.

| | |
|--------------------------------------|--|
| Meeting: Council - 29/07/2022 | Submitted by Department: Financial Services |
| Ref No: 9/1/1/4 | Author/s: A Viola |
| Coll No: 11971161 | Referred from: MC – 20/07/2022 |
| PAR: | ACTION: |
| | RESPONSIBLE DEPARTMENT: |
| | DUE DATE: |

| |
|--|
| 9.8 REQUEST FOR PAYMENT OF DEVELOPMENT CONTRIBUTIONS IN MONTHLY INSTALLMENTS: ERF 3231 MBEKWENI |
| VERSOEK OM IN MAANDELIKSE PAAIEMENTE TE BETAAL VIR ONTWIKKELINGSBYDRAE: ERF 3231 MBEKWENI |
| ISICELO SOKUHLAWULWA NGEZAVENGE YOPHUHLISO NGENYANGA: ISIZA 3231 MBEKWENI |

UNANIMOUSLY RESOLVED that

The Development Charges be settled through a lump sum first payment of R10 000.00 with the balance be paid in monthly installments of R3 000.00 until 30 September 2022, as there are no bulk infrastructure upgrades required as a result of the development.

| | |
|--------------------------------------|--|
| Meeting: Council - 29/07/2022 | Submitted by Department: Engineering Services |
| Ref No: 15/4/1 (3231)M | Author/s: L Smith |
| Coll No: 1805638 | Referred from: MC – 20/07/2022 |
| PAR: | ACTION: |
| | RESPONSIBLE DEPARTMENT: |
| | DUE DATE: |
| | Implement decision |
| | ED Engineering Services |

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
29 JULY 2022

30

| | |
|------------|---|
| 9.9 | APPROVAL OF THE DRAFT WATER AND SANITATION SERVICES BYLAW 2022 |
| | GOEDKEURING VAN DIE KONSEP WATER- EN SANITASIEDIENSTE VERORDENING 2022 |
| | UKWAMKELWA KOMTHETHO KAMASIPALA WOYILO KWEENKONZO ZOGUTYULO 2022 |

UNANIMOUSLY RESOLVED that

1. The draft Water and Sanitation Bylaw 2022, be approved; and
2. The draft Water and Sanitation Bylaw 2022 be advertised and made available at municipal offices for public comment.

| | | | |
|--|--|--------------------------------|------------------|
| Meeting: Council - 29/07/2022 Ref No: 16/5 Coll No: 1962379 | Submitted by Department: Engineering Services Author/s: A Kowalewski Referred from: MC – 20/07/2022 | | |
| PAR: | ACTION: | RESPONSIBLE DEPARTMENT: | DUE DATE: |
| 2. | Implement decision | ED Community Services | |

| | |
|-------------|---|
| 9.10 | PROPOSED ALIENATION OF A PORTION OF UNREGISTERED ERF 39379 PAARL (REMAINDER ERVEN 29137 AND 29136) SITUATED IN DONKERVLIET STREET FOR INDUSTRIAL PURPOSES TO TOMIKA INTERNATIONAL LIMITED (WARD 16) |
| | VOORGESTELDE VERVREEMDING VAN 'N GEDEELTE VAN ONGEREGISTREERDE ERF 39379 (REstant VAN ERWE 29137 EN 29136) PAARL GELEË IN DONKERVLIETSTRAAT VIR INDUSTRIËLE DOELEINDES AAN TOMIKA INTERNASIONAAL BEPERK (WYK 16) |
| | ISINDULULO SOKUPHEPHELA KWESIQEPHU ESINGABHALISHWAYO ISIZA 39379 PAARL (IIZIZA 29137 KUNYE NO-29136) IMISWE E-DONKERVLIET STREET NGEENJONGO ZOSHISHINO KWI TOMIKA INTERNATIONAL LIMITED (WADI 16) |

UNANIMOUSLY RESOLVED that

1. In terms of Section 14 of the MFMA approval in principle be granted for the direct alienation of a portion of Unregistered Erf 39379 Paarl, measuring approximately 5ha, subject to the standard conditions of sale as well as the following conditions:
 - 1.1 The subject property be sold at a market related selling price, to be determined by an independent valuer;
 - 1.2 The proposed transaction be advertised in the local press for comments, objections, representations and counter offers;
 - 1.3 The site be developed for industrial purposes only, in accordance with its current zoning;



-
- 1.4 The subdivision of the subject property will be undertaken by and at the cost of the Municipality. If the transaction is cancelled by the applicant, the Municipality must be reimbursed for all expenses incurred;
 - 1.5 All costs related to the registration of transfer process will be for the account of the applicant;
 - 1.6 The applicant can apply to register as a wet industry and then have water at their disposal at a reduced tariff;
 - 1.7 The applicant may, at his own cost, erect a pumping station and HDPE surge line at Paarl purification works where the water can be intercepted before passing through the chlorine contact tanks;
 - 1.8 The upgrading of the 11kV switching station must first be undertaken before electricity can be supplied to the development;
 - 1.9 Traffic Impact Assessment be undertaken by and the cost of the applicant;
 - 1.10 Should any of the coal fired boilers have a design capacity equal to 10 MW or greater, the applicant will be required to register their boilers with the Cape Winelands District Municipality as controlled emitters. If the boilers have a design capacity below 10 MW, the applicant will be required to register their boilers with Drakenstein Municipality as fuel burning appliances in accordance with the Drakenstein Air Quality Management Bylaw of 2021;
 - 1.11 The proposed treatment of effluent and the proposed re-use for gardening, firefighting and non-contact cooling will require a water use license from the Department of Water and Sanitation;
 - 1.12 The Municipal Environmental Division will liaise with CapeNature to confirm if a botanist is required to undertake ground truthing of the Critical Biodiversity Area portion of the site;
 - 1.13 Development Contributions will not payable by the applicant; and
 - 1.14 Any other specifications will be encapsulated in the information pack before the proposed transaction will be advertised.



DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA 32
29 JULY 2022

2. The proposed transaction be subject to a pre-emptive and reversionary right to be registered against the title of the property in favour of the Municipality, whereby the successful applicant will be required to develop the subject property within a particular timeframe, be prohibited from selling the undeveloped subject property or a portion thereof or intent to use the subject property or a portion thereof for any other purpose as approved by Council without prior written consent from the Municipality. Failure to adhere to the aforementioned will result in the re-transfer of the subject property at the original selling price to the Municipality; and

3. In terms of Paragraph 13 of the Asset Transfer Policy the direct alienation of this viable portion of municipal land is permitted. In this instance the applicant, being a well-established entity within the Agro Processing Sector. This holds immense advantages to the Municipality and its surrounding community due to the expansion potential thereof.

| | | | |
|-------------------------------|--------------------|---|------------------|
| Meeting: Council – 29/07/2022 | | Submitted by Department: Corporate Services | |
| Ref No: 15/4/1 (29316) P | | Author/s: F Williams | |
| Coll No: 1962143 | | Referred from: MC – 20/07/2022 | |
| PAR: | ACTION: | RESPONSIBLE DEPARTMENT: | DUE DATE: |
| 1-3 | Implement decision | ED Corporate Services | |

| |
|--|
| 9.11 PROPOSED ALIENATION AND DEVELOPMENT OF A PORTION OF ERF 607 GOUDA BY MEANS OF A CALL FOR DEVELOPMENT PROPOSALS (WARD 31) |
| VOORGESTELDE VERVREEMDING EN ONTWIKKELING VAN 'N GEDEELTE VAN ERF 607 GOUDA DEUR MIDDEL VAN 'N VERSOEK VIR ONTWIKKELINGSVOORSTELLE (WYK 31) |
| UKWAHLUKWANISWA OKUCETYWAYO KUNYE NOPHUHLISO LWESIQEPHU SESIZA 607 GOUDA NGENXA YOKUBIZWA KWEZIPHAKAMISO ZOPHUHLISO (WADI 31) |

UNANIMOUSLY RESOLVED that

1. The Council resolution dated 29 January 2020 in respect of the subject property, attached as Annexure B to the departmental report, be repealed; and

2. In terms of Section 14 of the Municipal Finance Management Act (Act 56 of 2003) approval in principle be granted for the alienation and development of a portion Erf 607 Gouda by means of a call for development proposals, subject to the standard conditions of sale as well as the following further conditions:
 - 2.1 The subject property be developed into a fuel filling station and controlled truck park with associated land uses;



-
- 2.2 The extent of the property to be sold will depend on the development proposal submitted (ranging from 5 – 50 ha in extent);
 - 2.3 The subject property be sold at a market related selling price, to be determined by an independent valuer;
 - 2.4 The proposed transaction be advertised in the local press requesting development proposals as well as for objections, comments, representations and counter offers;
 - 2.5 All submitted proposals be assessed in order to determine the best possible development in accordance with the specifications;
 - 2.6 All costs related to the registration of transfer and the obtaining of the required development rights, any other studies as well as any required statutory approvals be undertaken by and at the cost of successful applicant;
 - 2.7 ESKOM be consulted by the successful applicant pertaining to the electrical connection for the proposed development. The necessary applications be submitted to ESKOM directly;
 - 2.8 All costs related to the water and sewer/waste connection will be for the successful applicant's account;
 - 2.9 A GLS Report will be required and Development Contributions will be payable in terms of the prevailing policy at the time;
 - 2.10 A Storm Water Management Plan and Traffic Impact Assessment is required as well as approval from the Provincial Roads Engineer; and
 - 2.11 The transaction be subject to all further requirements and specifications as indicated by the technical departments.
3. The proposed transaction be subject to a pre-emptive and reversionary right to be registered against the title of the property in favour of the Municipality, whereby the successful applicant will be required to develop the subject property within a particular timeframe, be prohibited from selling the undeveloped subject property or a portion thereof or intent to use the subject property or a portion thereof for any other purpose as approved by Council without prior written consent from the Municipality. Failure to adhere to the



DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
29 JULY 2022

34

aforementioned will result in the re-transfer of the subject property at the original selling price to the Municipality; and

4. In terms of paragraph 11 of the Asset Transfer Policy the subject property may be alienated by the Municipality via a Call for Proposals as the subject property is not required for municipal purposes and has substantial development potential.

| | | | |
|---|---|---|------------------|
| Meeting: Council - 29/07/2022 Ref No: 15/4/1 (607) G Coll No: 1955687 | Submitted by Department: Corporate Services Author/s: F Williams Referred from: MC - 20/07/2022 | | |
| PAR: 1-4 | ACTION: Implement decision | RESPONSIBLE DEPARTMENT: ED Corporate Services | DUE DATE: |

| |
|--|
| 9.12 PROPOSED ALIENATION AND DEVELOPMENT OF ERF 2874 (PUBLIC PLACE) NUWE VLEI STREET, SOUTHERN PAARL BY MEANS OF A CALL FOR PROPOSALS (WARD 15) |
| VOORGESTELDE VERVREEMDING EN ONTWIKKELING VAN ERF 2874 (PUBLIEKE PLEK) NUWE VLEISTRAAT, SUIDER PAARL BY WYSE VAN 'N VERSOEK VIR VOORSTELLE (WYK 15) |
| UKWAHLULWA OKUCETYWAYO NOPHUHLISO LWESIZA 2874 (INDAWO YOLUNTU) NUWE VLEI STREET, SOUTHERN PAARL NGENXA YOKUBIZWA KWEZIPHAKAMISO (WADI 15) |

UNANIMOUSLY RESOLVED that

1. In terms of Section 14 of the Municipal Finance Management Act (Act 56 of 2003) in principle approval be granted for the alienation and development of Erf 2874, situated in Nuwe Vlei Street, Paarl (Public Place), measuring approximately 850m² in extent, by means of a Call for Proposals, subject to the standard conditions of sale and the following further conditions:
 - 1.1 The subject property be sold at a market related selling price, to be determined by an independent valuer;
 - 1.2 The proposed transaction be advertised in the local press requesting for development proposals, objections and comments; and
 - 1.3 All adjacent landowners be notified in writing of the proposed transaction including the unauthorized utilization of the subject property.
2. The purchaser will be responsible for obtaining all the required land use rights at own cost;



3. No construction will be permitted over the sewer line located on Erf 2874 Paar common boundary with the existing residential properties;
4. A 4 metre services servitude must be registered over the municipal sewer pipeline and access to the sewer pipe line must be provided to the Municipality at all times. The width of the servitude will be confirmed by the Municipal Waste Water Services Division;
5. The proposed transaction be subject to conditions/specifications imposed by the technical departments;
6. All submitted proposals be assessed in order to determine the best possible development in accordance with the specifications; and
7. In terms of paragraph 11 of the Asset Transfer Policy the subject property may be alienated by the Municipality via a Call for Proposals as the subject property is not required for municipal purposes and has development potential.

| | | | |
|-------------------------------|--------------------|---|------------------|
| Meeting: Council - 29/07/2022 | | Submitted by Department: Corporate Services | |
| Ref No: 15/4/1 (2874) P | | Author/s: F Williams | |
| Coll No: 1952076 | | Referred from: MC - 20/07/2022 | |
| <u>PAR:</u> | <u>ACTION:</u> | <u>RESPONSIBLE DEPARTMENT:</u> | <u>DUE DATE:</u> |
| 1-7 | Implement decision | ED Corporate Services | |

| |
|--|
| 9.13 PROPOSED ALIENATION OF A PORTION OF ERF 2097 (ROAD RESERVE), SITUATED ON THE CORNER OF MAIN AND COMMISSIONER STREETS, WELLINGTON TO THE ADJACENT LANDOWNER (WARD 18) |
| VOORGESTELDE VERVREEMDING VAN 'N GEDEELTE VAN ERF 2097 (PADRESERWE), GELEË OP DIE HOEK VAN HOOF- EN COMMISSIONERSTRATE, WELLINGTON AAN DIE AANGRENSENDE GRONDEIENAAR (WYK 18) |
| ULWAHLULO OLUCETYWAYOLWECEBA LESIZA 2097 (INDLELA EBKWE BUCALA), IMI KWIKONA MAIN NE COMMISSIONER STREET, WELLINGTON UKUYA KUMNINI-MHLABA OKUFUTSHANE (WADI 18) |

UNANIMOUSLY RESOLVED that

1. In terms of Section 14 of the Municipal Finance Management Act (Act 56 of 2003) approval in principle be granted for the alienation of a portion of Erf 2097 Wellington (road reserve), situated on the corner of Main and Commissioner Streets, for consolidation with the adjacent residential property (situated on Remainder Erf 600 Wellington) as well as rectifying the current unintended encroachment on the road reserve subject to the standard conditions of sale and the following further conditions:

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
29 JULY 2022

36

- 1.1 The subject property be sold at a market related selling price, to be determined by an independent valuer; and
- 1.2 The proposed transaction be advertised in the local press for objections and comments.
2. Only the road reserve portion alongside the eastern edge of the existing stoep with a splay to the Commissioner Street boundary be alienated;
3. The applicant will be responsible for obtaining of all required land use planning approvals at own cost;
4. No alterations or amendments to the existing structures may be done without the necessary authorization, including building plan approval. Should any alterations to the existing structures be envisioned, the owner must consult with Heritage Western Cape and the Municipality prior to the submission of any application for the envisioned alterations or amendments;
5. Any proposed amendments to the façade of the existing building or the interface with Main Street must improve the public realm with Main Street;
6. The water meter must be relocated within the proposed erf boundary. The relocation will be undertaken by the Municipal Water Services Division at the cost of the purchaser. All paving should be removed by the purchaser reinstated after work has been completed;
7. All other conditions imposed by the technical departments be adhered to; and
8. In terms of paragraph 13 of the Asset Transfer Policy the subject property cannot be used as an individual property and transacted with independently and may therefore be alienated to the adjacent landowner.

| | | | |
|--|--------------------|--|------------------|
| Meeting: Council - 29/07/2022 Ref No: 15/4/1 (600) W Coll No: 1947738 | | Submitted by Department: Corporate Services Author/s: F Williams Referred from: MC – 20/07/2022 | |
| PAR: | ACTION: | RESPONSIBLE DEPARTMENT: | DUE DATE: |
| 1-8 | Implement decision | ED Corporate Services | |



37

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
29 JULY 2022

| |
|--|
| 9.14 CUSTOMER SERVICES CHARTER |
| KLIËNTEDIENS HANDVES |
| UKUBEKWA KOMTHETHO WEENKONZO ZABATHENGI |

UNANIMOUSLY RESOLVED that

1. The Customer Services Charter be approved; and
2. The Customer Services Charter be published on the Municipal Website and made available to the public at all municipal buildings.

| | | | |
|-------------------------------|---------------------------------|--------------------------------|------------------|
| Meeting: Council - 29/07/2022 | Submitted by Department: IDP/PM | | |
| Ref No: 2/2/5 | Author/s: C September | | |
| Coll No: 1934813 | Referred from: MC – 20/07/2022 | | |
| PAR: | ACTION: | RESPONSIBLE DEPARTMENT: | DUE DATE: |
| | Implement decision | Manager: IDP/PMS | |

| |
|--|
| 9.15 OUTCOME OF THE ANNUAL AUDIT COMMITTEE PERFORMANCE ASSESSMENT 2021/22 |
| UITSLAG VAN DIE JAARLIKSE OUDITKOMITTEE PRESTASIE EVALUASIE 2021/22 |
| ISIPHUMO SOVAVANYO LOKWESEBENZA KWEKOMITI YOPHICOTHU-ZINCWADI 2021/22 |

UNANIMOUSLY RESOLVED that

The outcome of the annual Audit Committee (AC) performance assessment be noted.

| | | | |
|-------------------------------|---|--------------------------------|------------------|
| Meeting: Council - 29/07/2022 | Submitted by Department: Internal Audit | | |
| Ref No: 3/3/1/3/9/1 | Author/s: R Jaftha | | |
| Coll No: 1968029 | Referred from: MC – 20/07/2022 | | |
| PAR: | ACTION: | RESPONSIBLE DEPARTMENT: | DUE DATE: |
| | | | |

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

None.

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
29 JULY 2022

38

| |
|---------------------------------|
| 11. SUPPLEMENTARY AGENDA |
| AANVULLENDE AGENDA |
| I AJENDA EYONGEZIWEYO |

| |
|---|
| 11.1 RESIGNATION: ALDERMAN R SMUTS, PROPORTIONAL MEMBER OF THE MUNICIPAL COUNCIL |
| BEDANKING: RAADSHEER R SMUTS, PROPORSIONELE LID VAN DIE MUNISIPALE RAAD |
| UKURHOXA: ALDERMAN R SMUTS, ILUNGU ELIQHELEKILEYO LWEBHUNGA LIKAMASIPALA |

UNANIMOUSLY RESOLVED that

The resignation of Ald R Smuts with effect from 31 July 2022, be noted.

| | | | |
|-------------------------------|---|--------------------------------|------------------|
| Meeting: Council – 29/07/2022 | Submitted by Department: Corporate Services | | |
| Ref No: 3/8/1 | Author/s: S Johaar | | |
| Coll No: | Referred from: | | |
| <u>PAR:</u> | <u>ACTION:</u> | <u>RESPONSIBLE DEPARTMENT:</u> | <u>DUE DATE:</u> |

| |
|---|
| 11.2 QUARTERLY PERFORMANCE ASSESSMENT REPORT TOP LAYER SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN (QUARTER 4: 01 APRIL – 30 JUNE 2022) |
| KWARTAALLIKSE PRESTASIE ASSESSERINGSVERSLAG TOP VLAK DIENSLEWERING EN BEGROTING IMPLEMENTERINGSPLAN (KWARTAAL 4: 01 APRIL - 30 JUNIE 2022) |
| INGXELO YOVAVANYO LWENTSEBENZO YEKOTA ISICWANGCISO SOKUSETYENZISWA KWENKONZO YOLWABIWO-MALI (IKOTA 4: 01 APRIL – 30 JUNE 2022) |

UNANIMOUSLY RESOLVED that

1. The Quarterly Performance Assessment Report 2020/2021 Q4 (01 April to 30 June 2021) 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:
 - 3.1 Internal Audit Unit (for notification);
 - 3.2 Auditor General of South Africa;
 - 3.3 Provincial Treasury Western Cape;
 - 3.4 National Treasury; and



DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
29 JULY 2022

39

3.5 Department of Local Government: Western Cape.

| | | | |
|--|---|--|------------------|
| Meeting: Council- 29/07/2022 Ref No: 2/2/8 Coll No: 1772289 | Submitted by Department: IDP/PM Author/s: W Prins Referred from: | | |
| PAR: 2-3 | ACTION: Implement decision | RESPONSIBLE DEPARTMENT: Manager: IDP/PMS | DUE DATE: |

| |
|---|
| 11.3 TOP LAYER (TL) SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2022/2023 AND PERFORMANCE AGREEMENTS OF THE CITY MANAGER, CHIEF FINANCIAL OFFICER AND EXECUTIVE DIRECTORS |
| TOP VLAK DIENSLEWERING EN BEGROTING IMPLEMENTERINGSPLAN (DBIP) 2022/2023 EN DIE PRESTASIE OOREENKOMSTE VAN DIE STADSBESTUURDER, HOOF FINANSIËLE BEAMPTTE EN UITVOERENDE DIREKTEURE |
| PHEZULU (TL) LOKUNIKEZELWA KWEENKONZO NESICWANGCISO SOKUPHUNYEZWA KUNYE NOHLAHO LWABIWO-MALI (SDBIP) 2022/2023 NEZIVUMELWANO ZOKUSEBENZA SOMANEJALA WESIXEKO, IGOSA LEZIMALI ELIYINTLOKONABALAWULI ABALAWULAYO |

UNANIMOUSLY RESOLVED that

1. The approved (TL) (SDBIP) 2022/2023 attached as Annexure A to the departmental report be noted;
2. The signed performance agreements of the City Manager, the CFO and the Executive Directors attached as Annexures B to G to the departmental report be noted;
3. It be noted that the approved TL SDBIP and signed performance agreements for 2022/2023 have been made public within 14 days after the approval of the TL SDBIP and submitted to the MEC for Local Government in the Province;
4. The performance indicators and targets as contained in the approved 2022/2027 Integrated Development Plan (IDP) be approved and be adjusted in accordance with the performance indicators and targets contained in the approved TL SDBIP to ensure accurate technical alignment between the IDP 2022/2027 and TL SDBIP 2022/2023; and
5. Due to the pilot process in the 2022/2023 financial year, intermediate cities, district and local municipalities will not be required to incorporate the indicators in their existing performance indicator tables in the IDP and TL SDBIP, thus



DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
29 JULY 2022

40

council notes the Circular 88 indicators.

| | | | |
|------------------------------|---------------------------------|--------------------------------|------------------|
| Meeting: Council- 29/07/2022 | Submitted by Department: IDP/PM | | |
| Ref No: 2/2/8 | Author/s: W Prins | | |
| Coll No: 1968201 | Referred from: | | |
| PAR: | ACTION: | RESPONSIBLE DEPARTMENT: | DUE DATE: |
| 1-5 | Implement decision | Manager: IDP/PMS | |

| | |
|---|-----------------------------|
| 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 | CONFIDENTIAL MINUTES |
| | VERTROULIKE NOTULE |
| | UKUQWALASELWA KWEMIZUZU YIMFIHLO |

See confidential minutes.

| | |
|-------------|--|
| 12.3 | WRITING-OFF OF IRRECOVERABLE DEBT REPORT – JUNE 2022 |
| | AFSKRYWING VAN ONINVORDERBARESKULDVERSLAG – JUNIE 2022 |
| | INGXELO YOKUCINYWA KWAMATYALA ANGAHLAWULWAYO – ISILIMELA 2022 |

See confidential minutes.

The meeting ended at 11:22.

Only addition in future:
① Prayer, councillor identified
② List important ruling if requested by speaker and record same in minutes.

CHAIRPERSON:

J.F. le Roux

DATE:

24/8/2022

Confirmed with/without amendments.

PJ/mg





COUNCIL MEETING

Date: 29 July 2022

Time: 10:00

Venue: Council Chambers

| SURNAME | NAME | TITLE | SIGNATURE |
|------------|------|-------|-----------|
| ADAMS | JH | CLLR | |
| ADRIAANSE | MM | ALD | |
| ANDERSON | JV | CLLR | |
| ANDREAS | MA | CLLR | |
| APPOLLIS | AMB | CLLR | |
| ARENDSE | EG | CLLR | |
| ARENDSE | LC | CLLR | |
| ARNOLDS | RB | CLLR | |
| BARON | E | CLLR | |
| BESTER | TG | CLLR | |
| BOLANI | LE | CLLR | |
| BOOYSEN | VC | CLLR | |
| CAROLLISEN | D | CLLR | |
| COMBRINK | GC | ALD | |
| CUPIDO | FP | CLLR | |
| CUPIDO | PBA | CLLR | |
| CYSTER | | CLLR | |

OFFICE OF THE / KANTOOR VAN DIE
 CRIEF WILDOHOOF SWEEP
 CLLR / RDL CHRISTOPHINE KEARNS
 DRAKENSTEIN MUNICIPALITY / MUNISIPALITEIT

29/07/22

A city of excellence



DRAKENSTEIN

MUNISIPALITEIT • MUNICIPALITY • UMASIPALA

Paarl | Wellington | Gouda | Saron | Simondium

42

+27 21 807 4500 +27 21 872 8054

www.drakenstein.gov.za

customer@drakenstein.gov.za

Civic Centre, Berg River Boulevard, Paarl 7646

| SURNAME | NAME | TITLE | SIGNATURE |
|--------------|------|-------|-----------|
| DANIELS | JV | CLLR | |
| DAVIDS | CO | CLLR | Apology |
| DE KOCK | J | CLLR | |
| DU PLESSIS | AJ | CLLR | |
| DUBA | BP | CLLR | Apology |
| FOURIE | A | CLLR | |
| GANANDANA | S | CLLR | |
| GODONGWANA | N | CLLR | |
| GOUWS | E | CLLR | |
| GRAVEL | S | CLLR | Apology |
| JACOBS | B | CLLR | Apology |
| JACOBS | CM | CLLR | |
| JACOBS | F | CLLR | |
| JACOBS | M | CLLR | Apology |
| KEARNS | C | CLLR | |
| KOEGELENBERG | RA | ALD | |
| KROUTZ | C | CLLR | |
| KULSEN | G | CLLR | |
| LANDSBERG | S | CLLR | |
| LANDU | L | CLLR | |

OFFICE OF THE/ KANTOOR VAN DIE
 CHIEF WHISKEY/ OORSWEEF
 CLLR/ RDL CHRISTEPHINE KEARNS
 DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT

28/07/22





| SURNAME | NAME | TITLE | SIGNATURE |
|----------------|------|-------|---------------------|
| LE ROUX | JF | ALD | <i>JF Le Roux</i> |
| LIEBENBERG | SJ | CLLR | <i>Apology</i> |
| MANGENA | TC | CLLR | <i>Apology</i> |
| MATTHEE | HJN | CLLR | <i>HJN Matthee</i> |
| MATTHEE | LC | CLLR | <i>LC Matthee</i> |
| MILLER | J | CLLR | <i>J Miller</i> |
| MOOI | TP | CLLR | <i>TP Mooi</i> |
| NELL | RH | CLLR | <i>RH Nell</i> |
| NONGOGO (WANA) | N | CLLR | <i>N Nongogo</i> |
| NOBALA | M | CLLR | <i>M Nobala</i> |
| POOLE | CJ | ALD | <i>CJ Poole</i> |
| RICHARDS | AM | CLLR | <i>Apology</i> |
| ROSS | S | CLLR | <i>S Ross</i> |
| SAMBOKWE | LS | CLLR | <i>LS Sambokwe</i> |
| SAUERMAN | ND | CLLR | <i>ND Sauerman</i> |
| SEPTEMBER | JA | CLLR | <i>JA September</i> |
| SMIT | J | CLLR | <i>J Smit</i> |
| SMUTS | R | ALD | <i>Smuts</i> |
| SOLOMONS | EA | CLLR | <i>EA Solomons</i> |
| STOWMAN | | ALD | <i>Stowman</i> |

OFFICE OF THE / KANTOOR VAN DIE
 CHIEF WILHELM HOOF SWEEP
 CLLR/ REK. CHRISTEPHINE KEARNS
 DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT

Kearns
 29/07/22

Stowman



| SURNAME | NAME | TITLE | SIGNATURE |
|-------------------|------|-------|-----------|
| STULWENI | AM | CLLR | |
| 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 | Absent. |

OFFICE OF THE / KANTOOR VAN DIE
CHIEF WHIP/HOOF SWEEP
CLLR/ ROL CHRISTEPHINE KEANNS
DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT



OFFICIALS

| NAME AND SURNAME | SIGNATURE |
|------------------|-----------|
| DR JH LEIBBRANDT | |
| G ESAU | |
| B BROWN | |
| S JOHAAR | |
| J SAMSON | |
| R JAFTHA | |
| N OCTOBER | APOLOGY |
| R GELDENHUYS | |
| G DIPPENAAR | |
| W PRINS | — |
| C SEPTEMBER | — |
| C LÖTZ | |
| M WÜST | APOLOGY |
| | |

OFFICE OF THE/ KANTOOR VAN DIE
 CHIEF WH/ HOOFDOWBEP
 CLLR/ IOL CHRISTEPHINE KEARNS
 DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT

29/07/22

