

**DRAKENSTEIN MUNICIPALITY**

**MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON TUESDAY, 31 JANUARY 2023 AT 09:30.**

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

<b>Senior Officials:</b>	<b>Dr J H Leibbrandt</b>	<b>(City Manager)</b>
	<b>Mr B Brown</b>	<b>(Chief Financial Officer)</b>
	<b>Mr S Johaar</b>	<b>(Executive Director: Corporate Services)</b>
	<b>Ms J Samson</b>	<b>(Executive Director: Planning and Development)</b>
	<b>Mr M Wüst</b>	<b>(Executive Director: Engineering Services)</b>
	<b>Mr G Esau</b>	<b>(Executive Director: Community Services)</b>
	<b>Ms R Jaftha</b>	<b>(Chief Executive Audit)</b>
	<b>Ms N October</b>	<b>(Snr Manager: Legal and Administrative Services)</b>
	<b>Ms C September</b>	<b>(Manager: IDP and PM)</b>
	<b>Ms R Geldenhuys</b>	<b>(Manager: Communications)</b>
	<b>Mr G Dippenaar</b>	<b>(Chief Risk Officer)</b>
	<b>Mr F P Goosen</b>	<b>(Manager: Administrative Support Services)</b>
	<b>Mr P January</b>	<b>(Senior Administrative Officer)</b>

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



Alderman JF le Roux opened the meeting with a prayer.

<b>1. APPLICATION FOR LEAVE</b>
<b>AANSOEK OM VERLOF</b>
<b>INGXELO NGU SOMLOMO</b>

1. Cllr P B A Cupido - Apology;
2. Cllr B P Duba - Apology;
3. Cllr A Fourie - Apology;
4. Cllr S Gravel - Apology; and
5. Cllr L Landu - Apology.

<b>2. CONFLICT OF INTERESTS</b>
<b>KONFLIK VAN BELANGE</b>
<b>UKUGQUBANA KWEMIDLA</b>

None.

<b>3. STATEMENTS BY THE SPEAKER</b>
<b>VERKLARINGS DEUR DIE SPEAKER</b>
<b>INGXELO NGU SOMLOMO</b>

The Speaker made the following announcements:

1. Informed council that Province will make the Local Government Library set for the interim available online until the revised sets are received from the Service Provider;
2. Informed council of the State of the Province address to be broadcasted in Council Chambers on the 16<sup>th</sup> and 17<sup>th</sup> of February 2023. Councillors need to RSVP by end of business on Monday, 13 February 2023. The Speaker also indicated that the possible broadcast of the State of the Nation address would be investigated;
3. Wished all councillors a prosperous New Year;
4. Requested the new councillors to complete their declaration of interest by end of business today;
5. Congratulated councillors who celebrated their birthdays in January; and
6. Ward councillors were reminded to submit outstanding ward committee minutes for the second quarter.



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

The Executive Mayor made the following announcements:

1. Extended best wishes to councillors and officials for the new year; and
2. Welcomed new councillors to Council.

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

The Deputy Executive Mayor extended best wishes to councillors and officials for the New Year.

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

None.

<b>7. MINUTES: MAYORAL COMMITTEE</b>
<b>NOTULE: BURGEMEESTERSKOMITEE</b>
<b>IMIZUZU: IKOMITI KASODOLOPHU</b>

The minutes of the meeting of the Mayoral Committee held on 1 December 2022 was noted.

<b>8. CONFIRMATION OF MINUTES</b>
<b>BEKRAGTIGING VAN NOTULES</b>
<b>UKUQINISEKISWA KWEMIZUZU</b>

The minutes of the meeting of the Ordinary Municipal Council held on 9 December 2022 was confirmed as correct.



<b>9. ITEMS FOR CONSIDERATION</b>
<b>ITEMS VIR OORWEGING</b>
<b>IMIBA YOKUQWALASELWA</b>

<b>9.1 ANNUAL REPORT: 2021/2022</b>
<b>JAARVERSLAG: 2021/2022</b>
<b>UKUBEKWA KWENGXELO YONYAKA KA 2021/2022</b>

Councillors requested that the accuracy of the statistics in the report be checked, particularly as it relates to informal settlements.

**UNANIMOUSLY RESOLVED that**

1. The 2021/2022 Annual Report be noted;
2. The 2021/2022 Annual Report be advertised for public comment as prescribed by the Municipal Finance Management Act and the Municipal Systems Act; and
3. The 2021/2022 Annual Report be submitted to the Auditor-General, Provincial Treasury and the Provincial Department of Local Government.

<b>Meeting:</b> Council-31/01/2023	<b>Submitted by Department:</b> Financial Services		
<b>Ref No:</b> 9/1/2	<b>Author/s:</b> I Engelmohr		
<b>Coll No:</b> 2014885	<b>Referred from:</b> MC -24/01/2023		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>
2-3	Implement decision	Chief Financial Officer	

<b>9.2 COUNCILLORS' OUTSTANDING DEBT REPORT AS AT 30 NOVEMBER 2022</b>
<b>RAADSLEDE SE UITSTAANDE SKULDVERSLAG SOOS OP 30 NOVEMBER 2022</b>
<b>INGXELO YAMATYALA YOCEBA NGOBUNJALO NGOMHLA EYENKANGA 2022</b>

**UNANIMOUSLY RESOLVED that**

The report be noted.

<b>Meeting:</b> Council - 31/01/2023	<b>Submitted by Department:</b> Financial Services		
<b>Ref No:</b> 9/1/1/4	<b>Author/s:</b> A Abrahams		
<b>Coll No:</b> 2009783	<b>Referred from:</b> MC - 24/01/2023		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>



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<b>9.3 COUNCILLORS' OUTSTANDING DEBT REPORT AS AT 31 DECEMBER 2022</b>
<b>RAADSLEDE SE UITSTAANDE SKULDVERSLAG SOOS OP 31 DESEMBER 2022</b>
<b>INGXELO YAMATYALA YOCEBA NGOBUNJALO NGOMHLA 31 ETIMNGA 2022</b>

**UNANIMOUSLY RESOLVED that**

The report be noted.

Meeting: Council – 31/01/2023	Submitted by Department: Financial Services		
Ref No: 9/1/1/4	Author/s: A Abrahams		
Coll No: 2014818	Referred from: MC – 24/01/2023		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

<b>9.4 REPORT ON TENDER AWARDS: NOVEMBER 2022</b>
<b>VERSLAG OOR TENDERTOEKENNINGS: NOVEMBER 2022</b>
<b>INGXELO NGONIKEZELO LWETHENDA: EYENKANGA 2022</b>

**UNANIMOUSLY RESOLVED that**

1. The awards above R200,000 that were adjudicated by the Bid Adjudication Committee for the month of November 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 – 31/01/2023	Submitted by Department: Financial Services		
Ref No: 8/1/2/1	Author/s: C Hess		
Coll No: 2010623	Referred from: MC – 24/01/2023		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

<b>9.5 REPORT ON TENDER AWARDS: DECEMBER 2022</b>
<b>VERSLAG OOR TENDERTOEKENNINGS: DESEMBER 2022</b>
<b>INGXELO NGONIKEZELO LWETHENDA: DISEMBA 2022</b>

**UNANIMOUSLY RESOLVED that**

1. The awards above R200,000 that were adjudicated by the Bid Adjudication Committee for the month of December 2022 be noted; and



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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 – 31/01/2023	Submitted by Department: Financial Services		
Ref No: 8/1/2/1	Author/s: C Hess		
Coll No: 2014015	Referred from: MC – 24/01/2023		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>

<b>9.6 REPORT ON DEVIATIONS FROM PROCUREMENT PROCESSES: NOVEMBER 2022</b>
<b>VERSLAG VAN AFWYKINGS VAN VERKRYGINGSPROSESSE: NOVEMBER 2022</b>
<b>INGXELO YOKUPHAMBUKELA KUNYE NOLUNGISO OLUNCINCI LOKUPHEPHELA KWINKQUBO ZOKUFUMANA: EYENKANGA 2022</b>

**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 R123,902 (incl. VAT) for November 2022 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 R3,099,489 (incl. VAT) for the financial year in the notes to the 2022/2023 annual financial statements as required by legislation.

Meeting: Council – 31/01/2023	Submitted by Department: Financial Services		
Ref No: 9/1/1/5	Author/s: C Hess		
Coll No: 2010625	Referred from: MC – 24/01/2023		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>

<b>9.7 REPORT ON DEVIATIONS FROM PROCUREMENT PROCESSES: DECEMBER 2022</b>
<b>VERSLAG VAN AFWYKINGS VAN VERKRYGINGSPROSESSE: DESEMBER 2022</b>
<b>INGXELO YOKUPHAMBUKELA KUNYE NOLUNGISO OLUNCINCI LOKUPHEPHELA KWINKQUBO ZOKUFUMANA: EYOMNGA 2022</b>

**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 R404,841 (incl. VAT) for December 2022 as recorded by the Accounting Officer under the annexures attached to this report, be noted; and



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2. The Chief Financial Officer record the accumulated deviation amount of R3,504,330 (incl. VAT) for the financial year in the notes to the 2022/2023 annual financial statements as required by legislation.

Meeting: Council – 31/01/2023		Submitted by Department: Financial Services	
Ref No: 9/1/1/5		Author/s: C Hess	
Coll No: 2014021		Referred from: MC – 24/01/2023	
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>

<b>9.8 PREFERENTIAL PROCUREMENT POLICY AND AMENDED SUPPLY CHAIN MANAGEMENT POLICY</b>
<b>VOORKEUR VERKRYGINGSBELEID EN GEWYSIGDE VOORSIENINGSKANAAL-BESTUURSBELEID</b>
<b>UMGAQO-NKQUBO WOKUTHENGA NGOKUKHETHAYO NOMGAQO-NKQUBO WOLAWULO WONIKEZELO OLUNGISIWEYO</b>

**UNANIMOUSLY RESOLVED that**

1. Preferential Procurement Policy and amended Supply Chain Management Policy be approved; and
2. Policies be implemented from 1 February 2023.

Meeting: Council – 31/01/2023		Submitted by Department: Financial Services	
Ref No: 8/1/2/1		Author/s: H Vergotine	
Coll No: 2017063		Referred from: MC – 24/01/2023	
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>
1-3	<ol style="list-style-type: none"> <li>1. Implement decision</li> <li>2. Update policy folder and intranet</li> <li>3. Place on Municipal Website</li> </ol>	<ol style="list-style-type: none"> <li>1. Chief Financial Officer</li> <li>2. Administration</li> <li>3. Communication</li> </ol>	

<b>9.9 MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 71 MONTHLY BUDGET MONITORING REPORT FOR NOVEMBER 2022</b>
<b>MUNISIPALE WET OP BESTUUR VAN FINANSIES: ARTIKEL 71 MAANDELIKSE BEGROTINGSMONITERINGSVERSLAG VIR NOVEMBER 2022</b>
<b>UMTHETHO WOLAWULO LWEMALI KAMASIPALA: ICANDELO 71 INGXELO YOKUBEKA ESWENI ULAWULO LWABIWO-MALI LWENYANGA EYENKANGA 2022</b>

**UNANIMOUSLY RESOLVED that**

1. The content of the section 71 monthly budget monitoring report for November 2022 and the supporting documentation, be noted; and

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2. It be noted that the section 71 monthly budget monitoring report for November 2022 was submitted to the Executive Mayor; National Treasury and Provincial Treasury on 7 December 2022, being the 5<sup>th</sup> working day after the end of November 2022.

Meeting: Council – 31/01/2023	Submitted by Department: Financial Services		
Ref No: 9/1/1/4	Author/s: A Viola		
Coll No: 2010562	Referred from: MC – 24/01/2023		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>

<b>9.10 MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 71 MONTHLY AND 52 QUARTERLY BUDGET MONITORING REPORT FOR DECEMBER 2022</b>
<b>MUNISIPALE WET OP BESTUUR VAN FINANSIES: ARTIKEL 71 MAANDELIKSE EN 52 KWARTAALLIKSE BEGROTINGSMONITERINGSVERSLAG VIR DESEMBER 2022</b>
<b>UMTHETHO WOLAWULO LWEMALI KAMASIPALA: ICANDELO 71 INGXELO YOKUBEKA ESWENI ULAWULO LWABIWO-MALI LWENYANGA YOMSINTSI 2022</b>

**UNANIMOUSLY RESOLVED that**

1. The content of the Section 71 monthly budget monitoring report for December 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 December 2022 was submitted to the Executive Mayor; National Treasury and Provincial Treasury on 16 January 2023, being the 10<sup>th</sup> working day after the end of December 2022.

Meeting: Council – 31/01/2023	Submitted by Department: Financial Services		
Ref No: 9/1/1/4	Author/s: A Viola		
Coll No: 2015430	Referred from: MC – 24/01/2023		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>





**9.11 MID-YEAR BUDGET ASSESSMENT REPORT (SECTION 72 OF THE MFMA) FOR THE 2022/2023 FINANCIAL YEAR**

**HALF-JAARLIKSE BEGROTING EVALUERINGSVERSLAG (ARTIKEL 72 VAN MFBW) VIR DIE 2022/2023 FINANSIËLE JAAR**

**INGXELO YOVAVANYO LOHLAHLA LWABIWO MALI LAPHAKATHI KONYAKA (ICANDELO 72 LEMFMA) KUNYAKA-MALI KA 2022/2023**

The Executive Mayor responded to a question of Councillor Richards of the ANC regarding the increase in outstanding debt and loadshedding, whereafter the Speaker requested that a workshop on loadshedding be held.

**UNANIMOUSLY RESOLVED that**

1. The Section 72 Mid-Year Budget Assessment Report, be noted;
2. The City Manager and Senior Management compiles an adjustments budget for 2022/2023 based on the findings within the Section 72 Mid-Year Budget Assessment Report; and
3. The 2022/2023 adjustments budget be tabled to the Mayoral Committee and Council during the month of February 2023 to be approved by Council by not later than 28 February 2023.

Meeting: Council – 31/01/2023	Submitted by Department: Financial Services		
Ref No: 5/2/2	Author/s: L Crotz		
Coll No: 2016105	Referred from: MC – 24/01/2023		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

**9.12 APPROVAL OF THE 3<sup>RD</sup> SPECIAL ADJUSTMENTS BUDGET FOR THE 2022/2023 FINANCIAL YEAR**

**GOEDKEURING VAN DIE 3<sup>DE</sup> SPESIALE AANSUIWERINGSBEGROTING VIR DIE 2022/2023 FINANSIËLE JAAR**

**UKWAMKELELWA KOHLAHLA LWABIWO MALI LWESITHATHU LOLUNGISO OLUKHETHEKILEYO KUNYAKA-MALI KA-2022/2023**

Several questions were raised as to the reasons for the cuts in the allocation for the upgrading of informal settlements. It was responded to that due to certain residents being unwilling to move structures the projects were delayed, but that the funding would be restored in the next financial year. The ward councillors for the affected wards requested that they be consulted and informed of anything that hampers progress in the program to upgrade informal settlements.



**UNANIMOUSLY RESOLVED that**

1. The total operating revenue of R2,906,551,167 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 R2,871,544,452 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 R130,412,023 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 R130,412,023 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) (R53,967,881); and
  - 4.2 Secured grants to be received from national government, provincial government and other donors (R76,444,142).
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.

<b>Meeting:</b> Council-31/01/2023	<b>Submitted by Department:</b> Financial Services		
<b>Ref No:</b> 5/2/2	<b>Author/s:</b> L Crotz		
<b>Coll No:</b> 2016106	<b>Referred from:</b> MC -24/01/2023		
<b><u>PAR:</u></b>	<b><u>ACTION:</u></b>	<b><u>RESPONSIBLE DEPARTMENT:</u></b>	<b><u>DUE DATE:</u></b>



<b>9.13 REPLACEMENT OF COUNCILLOR L CYSTER BY COUNCILLOR P ALBERTYN AS PROPORTIONAL MEMBER OF THE MUNICIPAL COUNCIL</b>
<b>VERVANGING VAN RAADSLID L CYSTER DEUR RAADSLID P ALBERTYN AS PROPORSIONELE VERTEENWOORDIGER OP DIE MUNISIPALE RAAD</b>
<b>UKUTSHINTSHA KUKACEBA L CYSTER NGUCEBA P ALBERTYN NJENGE LUNGU LEBHUNGA LOMASIPALA</b>

**UNANIMOUSLY RESOLVED that**

1. It be noted that Councillor Lorraine Cyster resigned as Proportional Councillor as she was elected at the by-election held on 23 November 2022 as Ward Councillor of Ward 17 (Annexure A to the departmental report); and
2. It be noted that Councillor Pierre-Jeanne Albertyn was declared elected by the Electoral Commission (IEC) as proportional representative of the Democratic Alliance (DA) on the Drakenstein Municipal Council in place of Councillor L Cyster as from 23 December 2022 (Annexure B to the departmental report).


<b>Meeting:</b> Council-31/01/2023	<b>Submitted by Department:</b> Corporate Services		
<b>Ref No:</b> 3/8/1	<b>Author/s:</b> F Goosen		
<b>Coll No:</b> 2015355	<b>Referred from:</b> MC-24/01/2023		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>

<b>9.14 VACANCY ON THE MUNICIPAL COUNCIL: TERMINATION OF PARTY MEMBERSHIP OF COUNCILLOR EG ARENDSE, PROPORTIONAL MEMBER OF THE MUNICIPAL COUNCIL</b>
<b>VAKATURE OP DIE MUNISIPALE RAAD: BEËINDIGING VAN RAADSLID EG ARENDSE, PROPORSIONELE LID OP DIE MUNISIPALE RAAD, SE PARTY LIDMAATSKAP</b>
<b>ISITHUBA KWIBHUNGA LIKAMASIPALA: UKUYEKISWA KOBULUNGU BUKACEBA UMZANA ARENDSE, ILUNGU ELIQHELEKILEYO LEBHUNGA KAMASIPALA</b>

**UNANIMOUSLY RESOLVED that**

It be noted that GOOD has terminated the party membership of Councillor Edgar Grades Arendse as GOOD representative on the Drakenstein Municipal Council as from 10 December 2022, and that the Councillor therefore ceased to be a member of Council as from the said date.

<b>Meeting:</b> Council-31/01/2023	<b>Submitted by Department:</b> Corporate Services		
<b>Ref No:</b> 3/8/1	<b>Author/s:</b> F Goosen		
<b>Coll No:</b> 2011854	<b>Referred from:</b> MC-24/01/2023		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>



<b>9.15 REPLACEMENT OF FORMER COUNCILLOR EG ARENDSE BY COUNCILLOR PT DE VILLIERS AS PROPORTIONAL MEMBER OF THE MUNICIPAL COUNCIL</b>
<b>VERVANGING VAN VORIGE RAADSLID EG ARENDSE DEUR RAADSLID PT DE VILLIERS AS PROPORSIONELE VERTEENWOORDIGER OP DIE MUNISIPALE RAAD</b>
<b>UKUTSHINTSHA KWALOWO WAYESAKUBA NGUCEBA EG ARENDSE NGUCEBA PT DE VILLIERS NJENGE LUNGU LEBHUNGA LOMASIPALA</b>

**UNANIMOUSLY RESOLVED that**

The replacement of Mr. Edgar Gerades Arendse by Councillor Peter Thomas de Villiers as representative of the GOOD party on the Drakenstein Municipal Council, as from 11 January 2023, be noted.

<b>Meeting:</b> Council-31/01/2023 <b>Ref No:</b> 3/8/1 <b>Coll No:</b> 2015652	<b>Submitted by Department:</b> Corporate Services <b>Author/s:</b> F Goosen <b>Referred from:</b> MC-24/01/2023		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

<b>9.16 REPLACEMENT OF EG ARENDSE BY PT DE VILLIERS AS PROPORTIONAL REPRESENTATIVE COUNCILLOR OF GOOD TO CAPE WINELANDS DISTRICT MUNICIPALITY</b>
<b>VERVANGING VAN EG ARENDSE DEUR PT DE VILLIERS AS GOOD SE PROPORSIONELE VERTEENWOORDIGENDE RAADSLID OP DIE KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT</b>
<b>UKUTSHINTSHWA EG ARENDSE NGU PT DE VILLIERS NJEMGPMELEYO KWIBHUNGA LIKAMASIPA WESITHILI SASE CAPE WINELANDS</b>

**UNANIMOUSLY RESOLVED that**

It be noted that Councillor Peter Thomas de Villiers of GOOD has been declared elected as Proportional Representative Councillor to the Cape Winelands District Municipality in place of former Councillor Edgar Gerades Arendse.

<b>Meeting:</b> Council-31/01/2023 <b>Ref No:</b> 3/8/1 <b>Coll No:</b> 2016088	<b>Submitted by Department:</b> Corporate Services <b>Author/s:</b> F Goosen <b>Referred from:</b> MC-24/01/2023		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>



<b>9.17 QUARTERLY PERFORMANCE ASSESSMENT REPORT 2022/2023 (QUARTER 2: 01 OCTOBER - 30 DECEMBER 2022)</b>
<b>KWARTAALLIKSE PRESTASIE ASSESSERINGSVERSLAG 2022/2023 (KWARTAAL 2: 01 OKTOBER - 30 DESEMBER 2022)</b>
<b>INGXELO YOAVAVANYO NGEKOTA YOMSEBENZI 2022/2023 (IKOTA 2: 01 OKTOBHA – 30 DISEMBA 2022)</b>

**UNANIMOUSLY RESOLVED that**

1. The Quarterly Performance Assessment Report 2022/2023 (Quarter 2: 1 October to 30 December 2022) be adopted;
2. The Quarterly Performance Assessment Report be placed on the Municipal Website; 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-31/01/2023	Submitted by Department: IDP & PM		
Ref No: 2/2/8	Author/s: C September		
Coll No: 2014869	Referred from:		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>
1-3	Implement decision	Manager: IDP/PM	

<b>9.18 SECTION 72 MID-YEAR PERFORMANCE ASSESSMENT REPORT 2022/2023 (01 JULY – 31 DECEMBER 2022)</b>
<b>ARTIKEL 72 HALFJAARLIKSE PRESTASIE-EVALUERINGSVERSLAG 2022/2023 (01 JULIE - 31 DESEMBER 2022)</b>
<b>ICANDELO 72 INGXELO YOAVAVANYO LWABIWO-MALI EPHAKATHI KONYAKA-MALI 2022/2023 (01 JULAYI – 31 DISEMBA 2022)</b>

**UNANIMOUSLY RESOLVED that**

1. The performance of the Municipality against the set objectives contained in the Mid-Year Performance Assessment Report 2022/2023 for the Drakenstein Municipality (Annexure A to the departmental report) be noted;



2. The Mid-Year Performance Assessment Report 2022/2023 be submitted to the:
  - Internal Audit Division and the Audit Committee;
  - Provincial Treasury, Western Cape;
  - Provincial Department of Local Government, Western Cape; and
  - National Treasury; and
  
3. The Mid-Year Performance Assessment Report 2022/2023 be published on the Municipal website.

Meeting: Council-31/01/2023		Submitted by Department: IDP & PM	
Ref No: 2/2/8		Author/s: C September	
Coll No: 2014868		Referred from:	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>
1-3	Implement decision	Manager: IDP/PM	

**9.19 INFORMAL TRADING BYLAW**

**INFORMELE HANDELSVERORDENING**

**UMTHETHO KAMASIPALA WOKURHWEBIWA OKUNGASESIKWENI**

The GOOD party indicated that it could not support the Bylaw as in their view it would create more red tape for informal traders and may impact on the viability of their businesses.

After some discussion the recommendations of the Mayoral Committee were put to the vote and carried by 47 votes for to 4 votes against with 5 abstentions.

**RESOLVED that**

1. The Informal Trading Bylaw (Annexure A to the departmental report) be adopted;
2. The Council Delegation of Authority Item 11.8 in respect of the Informal Trading Bylaw (Annexure B to the departmental report) be approved; and
3. The Informal Trading Bylaw (Annexure A to the departmental report) be published in the Provincial Gazette.

Meeting: Council-31/01/2023		Submitted by Department: Planning and Development	
Ref No: 1/5/2/29		Author/s: M Mlangeni	
Coll No: 1955637		Referred from: MC-24/01/2023	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>
2-3	Implement decision	ED: Planning and Development	

<b>9.20 RECRUITMENT AND SELECTION OF EXECUTIVE DIRECTOR: ENGINEERING SERVICES</b>
<b>WERWING EN KEURING VAN UITVOERENDE DIREKTEUR: INGENIEURSDIENSTE</b>
<b>UKUQESHA NOKUCHONGA KOMLAWULI WESIQEBA: KWINKONZO ZOBUNJINELI</b>

**UNANIMOUSLY RESOLVED that**

1. The vacancy for the position of Executive Director Engineering Services be noted;
2. The Municipal Council hereby confirms that:
  - 2.1 The position of Executive Director: Engineering Services is required to meet strategic objectives of the Municipality;
  - 2.2 The job description for the post has been developed;
  - 2.3 The remuneration and other conditions of employment attached to the post is governed by the applicable Regulation;
  - 2.4 The post has been budgeted for and sufficient funds are available for the remaining period of the medium term expenditure framework; and
  - 2.5 Approval is hereby granted for the filling of the post of Executive Director: Engineering Services.
3. Authorisation be granted to the City Manager to place an advert for the position of Executive Director: Engineering Services in a newspaper circulating nationally and provincially within 14 days;
4. The selection panel be made up of the following persons:
  - 4.1 The City Manager who will be the chairperson;
  - 4.2 The Member of the Mayoral Committee responsible for Engineering Services; and
  - 4.3 An external expert in the functional area relevant to the position as determined by the City Manager.
5. Mr. Louis Pienaar, Manager: Infrastructure Development, be appointed as Acting Executive Director: Engineering Services from 1 February 2023 until 30 April 2023 or until the post is filled whichever is soonest;



6. An acting allowance be paid to Mr. Pienaar for the acting period; and
7. The Executive Mayor in accordance with Section 54A(2A)(b) of the Systems Act is authorised to request an extension of the acting period from the Western Cape Minister responsible for Local Government if required.

Meeting: Council-31/01/2023	Submitted by Department: Corporate Services		
Ref No: 4/6/3/1	Author/s: S Johaar		
Coll No: 2017949	Referred from:		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>
1-7	Implement decision	ED: Corporate Services	

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

None.

<b>11. SUPPLEMENTARY AGENDA</b>
<b>AANVULLENDE AGENDA</b>
<b>I AJENDA EYONGEZIWEYO</b>

None.

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

<b>12.1 CONFIDENTIAL MINUTES: MAYORAL COMMITTEE</b>
<b>VERTROULIKE NOTULE: BURGEMEESTERSKOMITEE</b>
<b>UKUQWALASELWA KWEMIZUZU YEMFIHLO: IKOMITI KASODOLOPHU WESIGQEBA</b>

See confidential minutes.

<b>12.2 CONFIRMATION OF CONFIDENTIAL MINUTES</b>
<b>BEKRAGTIGING VAN VERTROULIKE NOTULE</b>
<b>ISIQINISEKISO SEMIZULU YIMFIHLO</b>

See confidential minutes.





DRAKENSTEIN MUNICIPALITY  
MINUTES: COUNCIL/RAAD/IBHUNGA  
31 JANUARY 2023

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<b>12.3 WRITING-OFF OF IRRECOVERABLE DEBT REPORT – NOVEMBER 2022</b>
<b>AFSKRYWING VAN ONINVORDERBARESKULDVERSLAG – NOVEMBER 2022</b>
<b>INGXELO YOKUCINYWA KWAMATYALA ANGAHLAWULWAYO – EYENKANGA 2022</b>

See confidential minutes.

Meeting: Council-31/01/2023	Submitted by Department: Financial Services		
Ref No: 5/15/1	Author/s: A Abrahams		
Coll No: 2009760	Referred from: MC-24/01/2023		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

<b>12.4 WRITING-OFF OF IRRECOVERABLE DEBT REPORT – DECEMBER 2022</b>
<b>AFSKRYWING VAN ONINVORDERBARESKULDVERSLAG – DESEMBER 2022</b>
<b>INGXELO YOKUCINYWA KWAMATYALA ANGAHLAWULWAYO – DESEMBA 2022</b>

See confidential minutes.

Meeting: Council-31/01/2023	Submitted by Department: Financial Services		
Ref No: 5/15/1	Author/s: A Abrahams		
Coll No: 2014815	Referred from: MC-24/01/2023		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

The meeting ended at 11:22.

**CHAIRPERSON:** J.F. le Roux

**DATE:** 28/2/2023

Confirmed ~~with~~/without amendments.

PJ/mg





## COUNCIL MEETING

Date: 31 January 2023

Time: 09:30

Venue: Council Chambers

SURNAME	NAME	TITLE	SIGNATURE
ADAMS	JH	CLLR	<i>JH Adams</i>
ADRIAANSE	MM	ALD	<i>M. M. Adriaanse</i>
ALBERTYN	P	CLLR	<i>P. Albertyn</i>
ANDERSON	JV	CLLR	<i>J. V. Anderson</i>
ANDREAS	MA	CLLR	<i>M. A. Andreas</i>
APPOLLIS	AMB	CLLR	<i>A. M. B. Appollis</i>
ARENDSE	LC	CLLR	<i>L. C. Arendse</i>
ARNOLDS	RB	CLLR	<i>R. Arnolds</i>
BARON	E	CLLR	<i>E. Baron</i>
BESTER	TG	CLLR	<i>T. G. Bester</i>
BOLANI	LE	CLLR	<i>L. E. Bolani</i>
BOOYSEN	VC	CLLR	<i>V. C. Booysen</i>
CAROLISSEN	D	CLLR	<i>D. Carolissen</i>
COMBRINK	GC	ALD	<i>G. C. Combrink</i>
CUPIDO	FP	CLLR	<i>F. P. Cupido</i>
CUPIDO	PBA	CLLR	<i>Apology</i>
DANIELS	JV	CLLR	<i>J. V. Daniels</i>

OFFICE OF THE/ KANTOOR VAN DIE  
CHIEF WHIP/ HOOF SWERF  
CLLR/ ROL OOR TOEFERRE KEAENS  
DRAKENSTEIN/ GOUDEVALLE W. MUNISIPALITEIT

*Beaumo*

31/01/2023

A city of excellence

*J.*



# DRAKENSTEIN

MUNISIPALITEIT • MUNICIPALITY • UMASIPALA

Paarl | Wellington | Gouda | Saron | Simondium

+27 21 807 4500 +27 21 872 8054  
 www.drakenstein.gov.za  
 customercare@drakenstein.gov.za  
 Civic Centre, Berg River Boulevard, Paarl 7646

SURNAME	NAME	TITLE	SIGNATURE
DE VILLIERS	PT	CLLR	<i>[Signature]</i>
KLAASTE	CO	CLLR	<i>[Signature]</i>
DE KOCK	J	CLLR	<i>[Signature]</i>
DU PLESSIS	AJ	CLLR	<i>[Signature]</i>
DUBA	BP	CLLR	<i>[Signature]</i> Apology
FOURIE	A	CLLR	<i>[Signature]</i> Apology
GANANDANA	S	CLLR	<i>[Signature]</i>
GODONGWANA	N	CLLR	<i>[Signature]</i>
GOUWS	E	CLLR	<i>[Signature]</i>
GRAVEL	S	CLLR	<i>[Signature]</i> Apology
JACOBS	B	CLLR	<i>[Signature]</i>
JACOBS	CM	CLLR	<i>[Signature]</i>
JACOBS	F	CLLR	<i>[Signature]</i>
JACOBS	M	CLLR	<i>[Signature]</i> Present
KEARNS	C	CLLR	<i>[Signature]</i>
KOEGELENBERG	RA	ALD	<i>[Signature]</i>
KORABIE	S	CLLR	<i>[Signature]</i>
KROUTZ	C	CLLR	<i>[Signature]</i>
KULSEN	G	CLLR	<i>[Signature]</i>
LANDSBERG	OFFICE OF THE/ KANTOOR VAN DIE CHIEF WILDPYKTOEWEEP CLLR RA/ WILDPYKTOEWEEP	CLLR	<i>[Signature]</i>

DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT

*[Signature]*  
31/01/2023





SURNAME	NAME	TITLE	SIGNATURE
LANDU	L	CLLR	Apology
LE ROUX	JF	ALD	JF Le Roux
LIEBENBERG	SJ	CLLR	SJ Liebenberg
MANGENA	TC	CLLR	TC Mangena
MATHEE	LC	CLLR	LC Mathee
MILLER	J	CLLR	J Miller
MOOI	TP	CLLR	TP Mooi
NELL	RH	CLLR	RH Nell
NONGOGO (WANA)	N	CLLR	N Nongogo
POOLE	CI	ALD	CI Poole
RICHARDS	AM	CLLR	AM Richards
ROSS	S	CLLR	S Ross
SAMBOKWE	LS	CLLR	LS Sambokwe
SAUERMAN	ND	CLLR	ND Sauerma
SEPTEMBER	JA	CLLR	JA September
SMIT	J	CLLR	J Smit
SOLOMONS	EA	CLLR	EA Solomons
STOWMAN	A	ALD	A Stowman
STULWENI	AM	CLLR	AM Stulweni
VAN NIEKERK	ET	CLLR	ET Van Niekerk

OFFICE OF THE / KANTOOR VAN DIE  
MAYOR / WILDEBOERWEE PCLLR  
CLERK / ROL CHIEF / ECHTNIKE KLERKENS  
DRAKENSTEIN MUNICIPALITY / MUNISIPALITEIT

Beeld 110

31/01/2023



# DRAKENSTEIN

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Paarl | Wellington | Gouda | Saron | Simondium

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+27 21 807 4500 +27 21 872 8054  
www.drakenstein.gov.za  
customercare@drakenstein.gov.za  
Civic Centre, Berg River Boulevard, Paarl 7646

SURNAME	NAME	TITLE	SIGNATURE
VAN NIEUWENHUYZEN	RH	CLLR	
VAN ROOYEN	A	CLLR	A. van Rooyen
VAN SANTEN	AJ	CLLR	A. J. van Santen
VAN WILLINGH	B	CLLR	
XHEGO	Z	CLLR	Z. Xhego
ZOYA	N	CLLR	
ZWINYE	M	CLLR	

Lorraine Cyster

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

31/01/2023

**OFFICIALS**

NAME AND SURNAME	SIGNATURE
DR JH LEIBBRANDT	
G ESAU	
B BROWN	
S JOHAAR	
J SAMSON	
M WÜST	
R. JAFFA	
J. Dyman	
E. September	
N October	
R. Geldenhuys	

OFFICE OF THE/ KANTOOR VAN DIE  
CHIEF EXECUTIVE OFFICER  
OLUR/ ROLWYSE/ OPHANE KEURERS  
DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT

31/01/2023