

1(a)

7.22 LEASE OF MUNICIPAL BUILDING SITUATED ON ERF 1269, MBEKWENI (FORMER POLICE STATION BUILDING)
VERHURING VAN MUNISIPALE GEBOU GELEË OP ERF 1269, MBEKWENI (VOORMALIGE POLISIESTASIE GEBOU)
UKUQESHISWA KWESAKHIWO SIKAMASIPALA KWISIZA 1269, MBEKWENI (EYAYISIKHULULO SAMAPOLISA NGAPHAMBILI)

The ANC proposed that the current occupants of the building be provided with alternative accommodation.

### UNANIMOUSLY RESOLVED

1. that in terms of Regulation 34 of the Municipal Asset Transfer Regulations *in principle* approval be granted for the lease of the municipal building, situated on Erf 1269, Mbekweni to Phumelela Educare Centre (072-181-NPO), subject to the normal lease conditions as well as the following further conditions:-
  - 1.1 that the property be leased at a subsidized rental of R350.00 per month (VAT Excl and 8% escalation per annum included) (calculated at R3241.00 x 10 % of the market value);
  - 1.2 that the lease endures for a period of one (1) year, after which renewal thereof might be considered by Council;
  - 1.3 that all legal and administrative requirements be adhered to;
  - 1.4 that the subject property be used only for purposes of a crèche and not for residential purposes;
  - 1.5 that the lessee be responsible for the payment of all municipal services and connection fees;
  - 1.6 that the lease excludes the building on the north eastern corner of the site which is being used by the Community Services Directorate as part of the Mbekweni Sports Ground; and
  - 1.7 that the proposed transaction be advertised for objections and counter offers.

Meeting: Council – 29/09/2016	Submitted by Directorate: Corporate Service
Ref No: 15/4/1 (1269)MB	Author/s: Nico Marais
Coll Nr: 1138577	Referred from: EM&MC 21/09/2016
<b>PAR:</b>	<b>ACTION:</b> Advertise proposal
	<b>RESPONSIBLE DEPT:</b> Manager: Properties
	<b>DUE DATE:</b>

# DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE WELLINGTON TOWN HALL, JAN VAN RIEBEECK DRIVE, WELLINGTON, ON WEDNESDAY, 26 OCTOBER 2016 AT 14:00.

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

Senior Officials: J Carstens (Acting Municipal Manager)

Ms A de Beer (Executive Manager: Corporate Services)

Ms L Waring (Executive Manager: Planning and Development)

Mr G Boshoff (Executive Manager: Community Services)

Ms C Lategan (Acting Chief Financial Officer)

Mr G S du Plessis (Acting Executive Manager: Infrastructure Services)

Ms R Jaftha (Chief Audit Executive)

Mr A V Marais (Senior Manager: Legal and Administration)

Mr F Goosen (Manager: Administrative Support Services)

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



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

The following applications for leave were approved in terms of the Rules of Order of Council:

- 1) Clr D S Blanckenberg - 26 October 2016;
- 2) Clr B P Duba - 26 October 2016; and
- 3) Clr F Jacobs - 26 October 2016.

**2. CONFIRMATION OF MINUTES  
BEKRAGTIGING VAN NOTULE  
UKUQINISEKISWA KWEMIZUZU**

The minutes of the Ordinary Council meeting held on 29 September 2016 was **confirmed as correct**, subject to the following:-

- 1. The exclusion of item 7.22 which was held over for confirmation at the next meeting after the corrections thereof has been verified; and
- 2. The amendment of item 7.13 by the addition of the following to the pre-amble of this item:-  
  
"The ANC indicated that those who have an interest in the matter should recuse themselves."

**2.1 IMPLEMENTATION OF COUNCIL DECISIONS  
IMPLEMTERING VAN RAADSBESLUIE  
UKUMISELWA KWEZIGQIBO ZEBHUNGA**

Noted.

**3. MINUTES: EXECUTIVE MAYOR AND MAYORAL COMMITTEE  
NOTULES: UITVOERENDE BURGEMEESTER EN BURGEMEESTERSKOMITEE  
IMIZUZU: USODOLOPHU WESIGQEBAKUNYE NEKOMITI KASODOLOPHU WESIGQEBA**

Noted.

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<b>4. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR/DEPUTY EXECUTIVE MAYOR</b>
<b>VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER/UITVOERENDE ONDERBURGEMEESTER</b>
<b>INGXELO KUNYE NOQHAKAMSHELWANO NGU SODOLOPHU /ISEKELA LIKASODOLOPHU</b>

The Executive Mayor made the following announcements:-

- 1) Expressed condolences on behalf of Council to Cnr Mangena on the passing of his daughter;
- 2) Congratulated Ms M Sias for being first runner up at the National Librarian of the Year Award;
- 3) Condemned the violence at the Wellington Campus of the Cape Peninsula University of Technology and fire damage to the Goodnow Hall;
- 4) Reported that at the SALGA Western Cape Conference the Speaker, Cnr A C Stowman, has been elected as Provincial Deputy Chairperson of SALGA and the Executive Deputy Mayor, Cnr G C Combrink, Cnr Dr H von Schlicht, have been elected to the SALGA Provincial Executive Committee;
- 5) Congratulated Mr D Plaatjies from Saron for reaching the finals of the SA Got Talent Competition; and
- 6) Reported that an investigation into the death of fish in the Berg River was underway and that the results thereof were being awaited.

<b>5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER</b>
<b>VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER</b>
<b>INGXELO KUNYE NOQHAKAMSHELWANO NGU SOMLOMO</b>

The Speaker made the following announcements:

- 1) Expressed a word of welcome to the Chairperson of the Audit Committee, Mr R Kingwell;
- 2) Congratulated councillors who celebrated their birthdays in October;
- 3) The official photo of Council will be taken at the November Council meeting and requested Councillors to dress appropriately;
- 4) Outstanding Ward Project proposals should be finalized by ward councillors as soon as possible;
- 5) Thanked councillors for their participation in the Councillor Induction Program and mentioned that SALGA also expressed a word of appreciation towards Drakenstein for facilitating the program;
- 6) Councillors without access tags should contact the Office of the Speaker;

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- 7) Councillors' attention were drawn to a circular (C22 of 2016), received from the Department of Local Government with regard to councillor outstanding debt as well as the implications thereof. A copy thereof was made available to all councillors; and
- 8) The Deputy Mayor stated that councillors who are unable to purchase tablets for financial reasons, should inform him accordingly in order that tablets can be procured by the Municipality.

<b>5.1</b>	<b>DECLARATION OF INTERESTS BY COUNCILLORS</b>
	<b>VERKLARING VAN BELANGE DEUR RAADSLEDE</b>
	<b>UKUBHENGEZA KOMDLA NGOCEBA/AMAGOSA</b>

No declarations of interest were made.

<b>6.</b>	<b>STATUTORY MATTERS</b>
	<b>STATUTÈRE SAKE</b>
	<b>IMIBA YOMTHETO</b>

No matters were submitted.

<b>7.</b>	<b>CONSIDERATION OF REPORTS BY THE EXECUTIVE MAYOR AND MAYORAL COMMITTEE</b>
	<b>OORWEGING VAN VERSLAE DEUR DIE UITVOERENDE BURGEMEESTER EN BURGEMEESTERSKOMITEE</b>
	<b>UKUQWALASELWA KWEENGXELO YI EXECUTIVE MAYOR NE MAYORAL COMMITTEE</b>

<b>7.1</b>	<b>REPORT AND RECOMMENDATIONS TO COUNCIL FROM THE AUDIT COMMITTEE MEETING HELD ON 25 AUGUST 2016</b>
	<b>VERSLAG EN AANBEVELINGS AAN DIE RAAD VAN DIE OUDITKOMITEE-VERGADERING GEHOU OP 25 AUGUSTUS 2016</b>
	<b>INGXELO KUNYE NENGCEBISO KWIBHUNGA EVELA KWINTLANGANISO YEKOMITI YOPHICOTHO EBIBANJWE NGOMHLA WAMA 25 EYETHUPHA 2016</b>

The Chairperson of the Audit Committee, Mr R Kingwell, attended the meeting for this item and was requested to present their report. The ANC expressed the view that the report should be presented by the Audit Committee.

The ANC also raised questions as to the reporting of fraud and corruption incidents and requested that the list of incidents be reported to Council. The Acting Municipal Manager undertook to investigate the matter and to report back to Council with proposals on the reporting of incidents.

**RESOLVED**

that Council takes note of the following decisions of the Audit Committee:-

1. INTERNAL AUDIT

- 1.1 the Audit Committee confirmed that the organisational structure of Internal Audit remains adequate and independent;

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- 1.2 that internal audit reports submitted to the Audit Committee were noted and that the remaining internal audit reports for the year under review will be completed before the conclusion of the external audit;
- 1.3 management is advised to act timeously on the recommendations made by Internal Audit in their reports; and
- 1.4 the Audit Committee notes that the Internal Audit Methodology will be implemented at the commencement of the 2016/17 audits. The software for Internal Audit and Risk Management is due to be implemented before the end of December 2016.
2. **RISK MANAGEMENT**
- 2.1 that it be noted that risk management continues to be the focus of the Executive Management team;
- 2.2 that corrective steps as agreed to by the Management team are being implemented; and
- 2.3 that the Audit Committee continue to follow up on the corrective steps taken by Management.
3. **ETHICS MANAGEMENT**
- 3.1 that once the formal appointment of the permanent Municipal Manager has been confirmed, the Management team should consider consolidating ethics issues in a formal policy that reflects their behaviour and code of conduct.
4. **ADMINISTRATIVE MATTERS**
- 4.1 that the Audit Committee has complied with the requirements as set out in sections 165 and 166 of the MFMA relating to the draft annual financial statements and that the outcome will be included in the annual Audit Committee report; and
- 4.2 that Council note the progress with the quarterly reporting of the Performance Management System and that the annual report submitted for final audit, addresses the concerns raised by Internal Audit relating to the portfolios of evidence being accurate and in agreement with the Ignite System.

Meeting: Council – 26/10/2016 Ref No: 3/3/113/9/1 Coll Nr: 1144256		Submitted by Directorate: Office of the Municipal Manager Author/s: R Jaftha Referred from: EM&MC 19/10/2016	
<u>PAR:</u> 4.2	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> IA	<u>DUE DATE:</u>



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<b>7.2</b>	<b>QUARTERLY PERFORMANCE ASSESSMENT REPORT 2016/2017 (QUARTER 1: 01 JULY- 30 SEPTEMBER 2016)</b>
	<b>KWARTAALLIKSE PRESTASIE EVALUERINGSVERSLAG: (KWARTAAL 1: 01 JULIE – 30 SEPTEMBER 2016)</b>
	<b>INGXELO YOKUHLOLWA INDLELA YOKUSEBENZA YEKOTA: KOTA 1: 01 JULAYI – 30 SEPTEMBER 2016</b>

**UNANIMOUSLY RESOLVED**

1. that the Quarterly Performance Assessment Report 2016/2017 (Quarter 1: 01 July - 30 September 2016) be **ADOPTED**;
2. that the Quarterly Performance Assessment Report be placed on the Municipal Website; and
3. that the approved Quarterly Performance Assessment Report be submitted to the Auditor General of South Africa, the Provincial Treasury: Western Cape, National Treasury and the Department of Local Government: Western Cape.

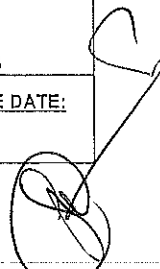
Meeting: Council – 26/10/2016		Submitted by Directorate: Office of the Municipal Manager	
Ref No: 2/2/8		Author/s: F Qebenya	
Coll Nr: 1148699		Referred from: EM&MC 19/10/2016	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-2	Implement decision	IDP	

<b>7.3</b>	<b>TENDERS, QUOTATIONS AND CONTRACTS: SUPPLY CHAIN MANAGEMENT: NOTIFICATION OF MONTHLY TENDER AWARDS: SEPTEMBER 2016</b>
	<b>TENDERS, KWOTASIES EN KONTRAKTE: VOORSIENINGSKANAAL BESTUUR: TENDERTOEKENNINGS VIR SEPTEMBER 2016</b>
	<b>ITHENDA, ISINIKI MAXABISO KUNYE NEZIVUMELWANO: ULAWULO LOTHUNGELWANO LWEZIBONELELO: ISAZISO SONIKEZELO LWETHENDA: SEPTEMBER 2016</b>

**UNANIMOUSLY RESOLVED**

1. that the tenders and contracts that were adjudicated by the Bid Adjudication Committee for the month of August 2016, be noted; and
2. that the tenders and contracts and the reasons for the awards as recorded by the Accounting Officer as attached to the departmental report, be noted.

Meeting: Council – 26/10/2016		Submitted by Directorate: Financial Services	
Ref No: 8/3/1		Author/s: Heinrich Vergotine	
Coll Nr: 1147570		Referred from: EM&MC 19/10/2016	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-2	Implement decision	Acting CFO	



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7.4	<b>TENDERS, QUOTATIONS AND CONTRACTS: REPORT ON WRITTEN AND FORMAL WRITTEN QUOTATIONS WHERE THREE QUOTATIONS WERE NOT OBTAINED AND DEVIATIONS AND RATIFICATION OF MINOR BREACHES FROM PROCUREMENT PROCESSES: SEPTEMBER 2016</b>
	<b>TENDERS, KWOTASIES EN KONTRAKTE VIR DIE MAAND SEPTEMBER 2016: PROSESSERING VAN SKRIFTELIKE EN FORMELE SKRIFTELIKE KWOTASIES WAAR DRIE KWOTASIES NIE VERKRY WAS NIE EN AFWYKING EN RATIFIKASIE VAN GERINGE OORTREDINGE VAN VERKRYGINGSPROSESSE: KONDONERING VAN ONREGMATIGE UITGAWES DEUR DIE RAAD</b>
	<b>ITHENDA, IZINIKI MAXABISO KUNYE NENKONTILAKI ZENYANGA KA SEPTEMBER 2016: UKUQHUBEKEKA KOKUBHALA KUNYE NOKUBHALA OKUSEMTHETHWENI KWEZINIKI MAXABISO EZINTATHU KUNYE NOKUNGALANDELI INKQUBO KUNYE NOKULUNGISWA KOKWAPHULWA KWEMITHETHO UNCINCI KWINKQUBO YOKUFUMANA</b>

The ANC raised questions with regard to the validity of deviations in general and also relating to the refurbishment of the Council Chambers. The party indicated that it intends to obtain legal advice in this regard. The Acting Municipal Manager explained that the Municipal Manager is authorised to approve deviations in terms of applicable legislation as well as the system of delegations and stated that he is advised by the bid evaluation and adjudication committees. The Acting Municipal Manager further explained some of the practical reasons for the deviation in respect of the council chamber.

After some discussion the ANC was advised to submit their concerns in writing for a response at the next meeting.

**RESOLVED**

1. that the deviations and minor breaches from Council's SCM Policy and procurement processes for the month of September 2016 for the amount of R 13,584,557, **be condoned**;
2. that in terms of paragraph 36(2) of the SCM Policy, the deviations and the reasons for the deviations as recorded by the Accounting Officer under the annexures attached to the departmental report, **be noted**;
3. that the Chief Financial Officer records the deviation amount of R 13,584,557 for the financial year in the notes to the annual financial statements for the 2016/2017 financial year as required by legislation; and
4. that the ANC submit questions relating to the renovation of the Council Chamber in writing and the responses be tabled at the next Council meeting.

Meeting:	Council – 19/10/2016	Submitted by Directorate:	Financial Services
Ref No:	8/1/B	Author/s:	Heinrich Vergotine
Coll Nr:	1147575	Referred from:	EM&MC 19/10/2016
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
2-3	Implement decision	Acting CFO	



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<b>7.5</b>	<b>OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY: REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF DRAKENSTEIN MUNICIPALITY: QUARTER 1: 1 JULY 2016 –30 SEPTEMBER 2016</b>
	<b>OORSIGROL VAN RAAD: VOORSIENINGSKANAALBESTUURSBELEID VAN DRAKENSTEIN MUNISIPALITEIT: 1STE KWARTAAL: 1 JULIE 2016 – 30 SEPTEMBER 2016</b>
	<b>INGXELO NGOKUMILISELWA KWENKQUBO YE SUPPLY CHAIN MANAGEMENT YOMASIPALA WASE DRAKENSTEIN: KOTA 1: 1 JULY 2016 – 30 SEPTEMBER 2016</b>

**UNANIMOUSLY RESOLVED**

1. that the report and Annexure A attached to the report, **be noted**; and
2. that the report be made public in accordance with section 21A of the Municipal Systems Act.

Meeting: Council – 26/10/2016		Submitted by Directorate: Financial Services	
Ref No: 8/1/1		Author/s: Heinrich Vergotine	
Coll Nr: 1147592		Referred from: EM&MC 19/10/2016	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
2	Implement decision	Act CFO	

<b>7.6</b>	<b>FINANCE: LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 52 QUARTERLY AND SECTION 71 MONTHLY BUDGET MONITORING REPORT FOR SEPTEMBER 2016</b>
	<b>FINANSIES: WET OP PLAASLIKE REGERING: MUNISIPALE FINANSIËLE BESTUUR: ARTIKEL 52 KWARTAALLIKSE EN ARTIKEL 71 MAANDELIKSE BEGROTING VERSLAGDOENING VIR SEPTEMBER 2016</b>
	<b>EZEZIMALI: UMTHETHO WOKULAWULWA KWEMALI ZIKAMASIPALA: ICANDELO 52 NGOKWEKOTA KUNYE NECANDELO 71 NGENYANGA INGXELO YOKONGAMELA KOHLAHLA LWABIWO MALI YENYANGA KA SEPTEMBER 2016</b>

**UNANIMOUSLY RESOLVED**

1. that it be noted that the variance between the actual operating revenue (R 802,034,300) and the pro rata budgeted operating revenue (R 814,601,426) has a negative variance of R 12,567,126 or 1.54%;
2. that it be noted that the variance between the actual operating expenditure (R 392,311,631) and the pro rata budgeted operating expenditure (R 447,399,829) has a positive variance of R 55,088,198 or 12.31%;
3. that it be noted that the actual and committed capital expenditure of R 250,674,887 and the pro rata budgeted capital expenditure of R 203,255,557 realised over spending of R 47,419,330 or 23.33%;

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4. that it be noted that the actual and committed capital expenditure of R 250,674,887 compared with the capital expenditure budget represent a spending percentage of 30.8% after three months of the financial year;
5. that it be noted that external borrowings amounted to R 902,837,425 as at 30 September 2016 and that it represents 44.54% of Drakenstein's total budgeted operating revenue of R 2,026,906,854 for the 2016/2017 financial year;
6. that it be noted that unspent conditional and unconditional grants amounted to R 33,414,945 at the end of September 2016;
7. that it be noted that the actual employee related cost expenditure of R 101,526,681 compared with the pro rata budgeted expenditure of R 114,272,015 relates to a positive variance of R 12,745,334 or 11.15%;
8. that it be noted that total outstanding debtors as at 30 September 2016 amounted to R 310,684,409 and that 30 days and older debt constitutes 54.7% of total outstanding debtors;
9. that it be noted that domestic consumers owe the municipality R 191,009,242 or 61.5% of the municipality's total debtor's book;
10. that it be noted that outstanding creditors amounted to R 247,285 as at 30 September 2016;
11. that it be noted that the primary bank account had a positive bank balance at 30 September 2016 which amounted to R 14,556,881; and
12. that it be noted that total investments in cash and shares amounted to R 324,605,390 as at 30 September 2016 at the five local banks and Eskom.

Meeting:	Council – 26/10/2016	Submitted by Directorate:	Financial Services
Ref No:	9/1/1/4	Author/s:	A Viola
Coll Nr:	1149088	Referred from:	EM&MC 19/10/2016
<u>PAR:</u>	<u>ACTION:</u> Note	<u>RESPONSIBLE DEPT:</u> Act CFO	<u>DUE DATE:</u>

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<b>7.7</b>	<b>PROPOSED APPOINTMENT OF ASLA (PTY) LTD AS IMPLEMENTING AGENT FOR TURNKEY HOUSING PROJECT IN THE SOUTHERN PAARL AREA OF DRAKENSTEIN MUNICIPALITY</b>
	<b>VOORGESTELDE AANSTELLING VAN ASLA (EDMS) BPK AS IMPLEMENTERINGSAGENT VIR "TURNKEY" BEHUISINGSPROJEK IN DIE SUIDE-PAARL AREA VAN DRAKENSTEIN MUNISIPALITEIT</b>
	<b>UKUCETYWA KWENGQESHO KA ASLA (PTY) LTD NJENGE ARHENTE YOKUZALISEKISA IPROJEKTI YEZINDLU ITURNKEY KWINGINGQI ESEMZANTSI PAARL KUMASPALA WASEDRAKENSTEIN</b>

The ANC raised objections to the proposed appointment of ASLA (Pty) Ltd, with reference to their involvement in Project 2, Mbekweni, and the fact that a procurement process was not followed. The Executive Mayor explained that this is an in principle decision which will be advertised for comment or counter proposals and will be re-submitted for final consideration.

**RESOLVED**

1. that the appointment of ASLA (Pty) Ltd as implementing agent for turnkey housing projects in the Southern Paarl Area of the Drakenstein Municipality, be approved in principle; and
2. that the public or any other potential service providers be invited to submit their comment or counter proposals within 30 days of the notice (advertisement).

<b>Meeting:</b> Council – 26/10/2016		<b>Submitted by Directorate:</b> Community Services	
<b>Ref No:</b> 17/5/3/1		<b>Author/s:</b> F Rhoda	
<b>Coll Nr:</b> 1148752		<b>Referred from:</b> EM&MC 19/10/2016	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
2	Implement decision	Community Services	

<b>7.8</b>	<b>PROPOSED SALE OF ERF 19544, PAARL (DALJOSAPHAT INDUSTRIAL AREA) TO GERHARD VISAGIE FAMILY TRUST</b>
	<b>VOORGESTELDE VERVREEMDING VAN ERF 19544, PAARL (DALJOSAFAT INDUSTRIËLE AREA) AAN GERHARD VISAGIE FAMILIE TRUST</b>
	<b>ISINDULULO SOKUTHENGISA ISIZA 19544 EPAARL (DALJOSAPHAT INDUSTRIAL AREA) KU GERHARD VISAGIE FAMILY TRUST</b>

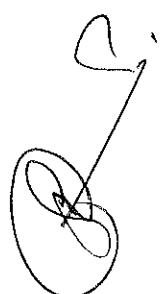
The ANC questioned the correctness of the proposed selling price of the property (R70/m<sup>2</sup>) since it appeared to be based on some subjective information pertaining to the cost for the filling of the site. The ANC proposed that this matter be referred back and in their view a proper market related valuation be obtained.

After some discussion the proposal of the ANC was put to the vote and defeated by 44 votes to 14 votes with 3 abstentions. The recommendation of the Executive Mayor and Mayoral Committee was then put to the vote and carried by 44 votes to 14 votes with 3 abstentions.

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**RESOLVED**

1. that in terms of Section 14 of the Municipal Finance Management Act *in principle* approval be granted for the alienation of a portion of Erf 19544, Paarl, measuring  $\pm 8120$  m<sup>2</sup> in extent, situated in Volta Street, Daljosaphat Industrial Area to Gerhard Visagie Family Trust, subject to the normal conditions of sale as well as the following further conditions:-
  - 1.1 that the property be sold at a market related selling price of R568 400.00 (VAT excl.) (calculated at R70/m<sup>2</sup>);
  - 1.2 that all costs related to the transfer of the property be borne by the applicant;
  - 1.3 that all administrative and legal requirements be adhered to;
  - 1.4 that the proposed transaction be advertised for objections and counter offers;
  - 1.5 that the relevant portion of Erf 19544, Paarl, be subdivided and consolidated with Erf 20754, Paarl, and that such required subdivision and consolidation be undertaken by and at the cost of the applicant;
  - 1.6 that a portion of Erf 19544, Paarl, be filled to the same level as the erven abutting Donkervliet Street;
  - 1.7 that any existing internal/external stormwater system that may require upgrading shall be the responsibility of the developer;
  - 1.8 that access to a portion of Erf 19544, Paarl, be used from Volta Street, via Erf 20754, Paarl. If the whole Erf 19544, Paarl, is not consolidated with Erf 20754, Paarl, the subdivision of Erf 19544, Paarl must be done as to leave access to Volta Street, the Eskom servitude may not be used for access;
  - 1.9 that the consolidation of a portion of Erf 19544, Paarl, with Erf 20754, Paarl be registered simultaneously with the registration of transfer of the subject property;
  - 1.10 that the existing water connection of Erf 20754, Paarl, be used;
  - 1.11 that additional sewer connection on existing Erf 19544, Paarl, be available at actual cost;
  - 1.12 that a reversionary clause be registered against the title of the property in favour of the Municipality should the property not be used for industrial purposes anymore or should the applicant intend to sell the undeveloped property or a portion thereof on payment of an amount equal to the purchase price of the property or a pro-rata purchase price in case of the intended sale of a portion of the undeveloped property or fail to commence with the development of the subject property as proposed within 24 months from date of registration;



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- 1.13 that a Site Development Plan and proof of financial ability to purchase and develop the property be obtained from the applicant before final approval is granted;
2. that the applicant be required to:-
- 2.1 submit all land use applications for the subdivision and consolidation of the relevant portion of Erf 19544, Paarl, within 3 months of signing the Deeds of Sale, or such extended period as agreed upon between applicant and the Municipality. This will be a suspensive condition to the proposed sale;
- 2.2 obtain approval of all the required land use approvals within 18 months of signing the Deed of Sale or such extended period as agreed upon between applicant and the Municipality. This will be a suspensive condition to the proposed sale;
- 2.3 obtain building plan approval within 6 months from obtaining all the required land use rights approvals;
- 2.4 Registration of transfer must take place within 3 months from obtaining all the required land use rights approvals;
- 2.5 complete the development within 24 months from date of transfer; and
3. that the subject property not be sold via public tender process due to the fact that the property will be developed for the purpose of expanding the business operating from Erf 20754, Paarl, allowing for further employment opportunities and encouraging economic growth and development. The proposal will be advertised for public comment or counter offers.

Meeting: Council – 26/10/2016 Ref No: 15/4/1 (19544) P Coll Nr: 1087633		Submitted by Directorate: Corporate Service Author/s: Nico Marais Referred from: EM&MC 19/10/2016	
<u>PAR:</u> 1-3	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Corporate Services (Properties)	<u>DUE DATE:</u>

**MINUTES: COUNCIL/RAAD/IBHUNGA  
26 OCTOBER 2016**

<b>7.9</b>	<b>RENEWAL OF LEASE AGREEMENT WITH THE PAARL SQUASH CLUB FOR THE LEASE OF THE CLUBHOUSE SITUATED ON A PORTION OF ERF 8431 PAARL</b>
	<b>HERNUWING VAN DIE HUURKONTRAK MET PAARL MUURBALKLUB VIR DIE HUUR VAN DIE KLUBHUIS GELEË OP 'N GEDEELTE VAN ERF 8431 PAARL</b>
	<b>UKUHLAZIYWA KWESIVUMELWANO SENGQESHO KUNYE NEPAARL SQUASH CLUB IQESHISELWA ICLUBHOUSE EKWISAHLULO SESIZA 8431 PAARL</b>

**UNANIMOUSLY RESOLVED**

1. that in terms of Regulation 34 of the Municipal Asset Transfer Regulations *in principle approval* be granted for the renewal of the lease of the clubhouse and squash courts building situated on a portion of Erf 8431 Paarl to the Paarl Squash Club, subject to the standard lease conditions as well as the following further conditions:-
  - 1.1 the property be leased at a subsidized rental of R519.71 per month (VAT excluded and 8% annual escalation included);
  - 1.2 that the property be leased for a period of 2 years, subject to a cancellation clause of three months should Council need the property for redevelopment purposes;
  - 1.3 all administrative and legal requirements be adhered to;
  - 1.4 that the proposed lease be advertised for objections or counter offers; and
2. that the property not be put out on tender since the facility is being used by a sport club and the entire property is earmarked for redevelopment.

<b>Meeting:</b>	<b>Council – 26/10/2016</b>	<b>Submitted by Directorate:</b>	<b>Corporate Service</b>
<b>Ref No:</b>	<b>15/4/1 (8431) P</b>	<b>Author/s:</b>	<b>Nico Marais</b>
<b>Coll Nr:</b>	<b>1090255</b>	<b>Referred from:</b>	<b>EM&amp;MC 19/10/2016</b>
<b>PAR:</b> 1-2	<b>ACTION:</b> Implement decision	<b>RESPONSIBLE DEPT:</b> Corporate Services (Properties)	<b>DUE DATE:</b>

<b>8.</b>	<b>MATTERS FOR CONSIDERATION/INFORMATION</b>
	<b>SAKE VIR OORWEGING/INLIGTING</b>
	<b>IMIBA YOKUQWALASELWA/YOKWAZISA</b>

None.

**MINUTES: COUNCIL/RAAD/IBHUNGA  
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**9. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY BY THE MUNICIPAL MANAGER**

**OORWEGING VAN VERSLAE, MEDEDELINGS, VERSOEKSKRIFTE EN AANSOEKE IN VERBAND MET DRINGENDE SAKE VOORGELÊ DEUR DIE MUNISIPALE BESTUURDER**

**UKUQWALASELWA KWENGXELO, UQHAKAMSHELWANO, IZIBENGEZO KUNYE NEZICELO EZIHAMBISANA NEMIBA ENGXAMISEKILEYO NGU MANEJALA KAMASIPALA**

None.

**10. CONSIDERATION OF NOTICES OF MOTIONS AND NOTICES OF QUESTIONS  
OORWEGING VAN KENNISGEWINGS VAN MOSIES EN KENNISGEWINGS VAN VRAE**

**UKUQWALASELWA KWEZAZISO ZEZIPHAKAMISO KUNYE NEZAZISO ZEMIBUZO**

**10.1 MOTION BY ECONOMIC FREEDOM FIGHTERS: PROPOSAL FOR LEASING OF A BUILDING (47 SEDERBERG STREET)**

**RESOLVED**

that the response of the Executive Mayor, **be noted.**

Meeting: Council – 26/10/2016  
Ref No: 3/3/1/5  
Coll Nr:

Submitted by Directorate:  
Author/s:  
Referred from:

**10.2 MOTION BY ECONOMIC FREEDOM FIGHTERS: TITLE DEEDS AND REVAMPING OF B AND C HOSTELS**

**RESOLVED**

that the response of the Executive Mayor, **be noted.**

Meeting: Council – 26/10/2016  
Ref No: 3/3/1/5  
Coll Nr:

Submitted by Directorate:  
Author/s:  
Referred from:

MINUTES: COUNCIL/RAAD/IBHUNGA  
26 OCTOBER 2016

**10.3 MOTION BY ECONOMIC FREEDOM FIGHTERS: HEALTH RISK POSED BY ASBESTOS**

**RESOLVED**

that the response of the Executive Mayor, **be noted.**

Meeting: Council – 26/10/2016	Submitted by Directorate:
Ref No: 3/3/1/5	Author/s:
Coll Nr:	Referred from:

**10.4 MOTION BY ECONOMIC FREEDOM FIGHTERS: CRICKET FIELD: MBEKWENI CRICKET CLUB**

**RESOLVED**

that the response of the Executive Mayor, **be noted.**

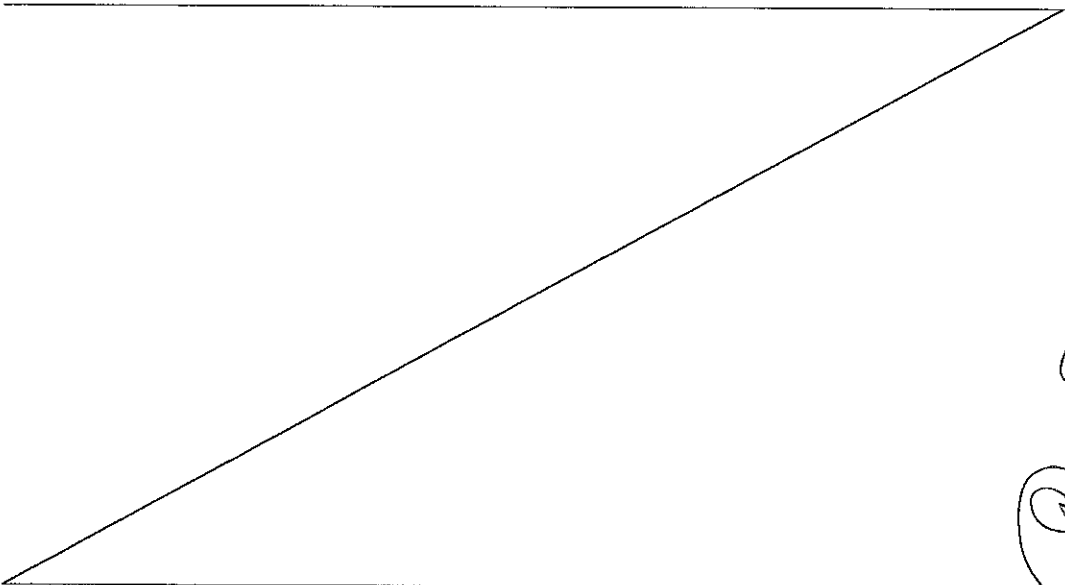
Meeting: Council – 26/10/2016	Submitted by Directorate:
Ref No: 3/3/1/5	Author/s:
Coll Nr:	Referred from:

**URGENT MOTIONS**

**10.5 COUNCILLOR W F PHILANDER SUBMITTED THE FOLLOWING URGENT MOTIONS**

**10.5.1 ATTACKS ON SENIOR CITIZENS (ATTACHED)**

**10.5.2 BREAST CANCER AWARENESS MONTH (ATTACHED)**



Meeting: Council – 26/10/2016	Submitted by Directorate:
Ref No: 3/3/1/5	Author/s:
Coll Nr:	Referred from:



COUNCIL MEMBER STATEMENT (1)

DRAKENSTEIN MUNICIPAL COUNCIL : WEDNESDAY, 26 OCTOBER 2016, WELLINGTON TOWN HALL

PR COUNCILLOR : WENDY FELECIA PHILANDER

Honourable Speaker, members of Council, it is with deep regret and sadness that we have learned of the brutal attacks on our senior citizens in the Drakenstein area.

Gedurende Junie 2016 was 'n 89 jarige bejaarde vrou in haar woning te Courtraal area aangeval deur vermoedelik iemand wat kos gevra het. Die vrou is gewurg en erge kophoue is toegedien.

Op 4 Oktober 2016 was 'n 89 jarige vrou van die New Orleans woongebied in Paarl-Oos wreed aangerand en vermoedelik verkrag. Verbygangers het op die bejaarde vrou se bebloede liggaam afgekom terwyl sy op haar stoep gele het.

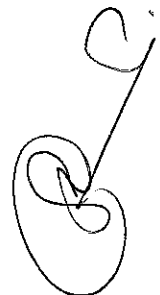
Kollegas laat ons hierdie dade vandag ten sterkste veroordeel. According to the Older Persons Charter our beloved senior citizens have the right to be protected from abuse and violence.

Let us help protect the rights and dignity of our vulnerable citizens in our communities in whichever way we can.

I today call on the South African Police Services, as well as the Justice Department not to fail our mothers and fathers in their golden years and that justice will prevail.

The victims and their families are in our prayers.

I thank you.



COUNCIL MEMBER STATEMENT (2)

DRAKENSTEIN MUNICIPAL COUNCIL : WEDNESDAY, 26 OCTOBER 2016, WELLINGTON TOWN HALL

PR COUNCILLOR : WENDY FELECIA PHILANDER

Honourable Speaker, members of Council, the month of October is marked as Breast Cancer Awareness month.

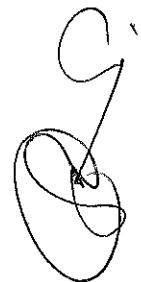
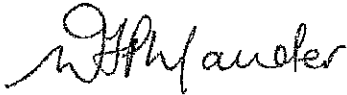
Let us today salute the brave ones who suffer from cancer, the cancer survivors and also our cancer supporters.

Early detection can indeed save a life.

Honourable Speaker, today I once again wish to urge all women and men to visit their nearest primary health care facilities for testing and to regularly do self-examinations for signs of lumps or change in breast tissue and the skin.

Aan alle organisasies en individue in die Drakenstein area wat gedurende die maand van Oktober gehelp het om die boodskap van Borskanker bewusmaking te versprei deur uitreikprogramme, wil ek vandag salueer en 'n hartlike dank oordra.

Ek dank u.



MINUTES: COUNCIL/RAAD/IBHUNGA  
26 OCTOBER 2016

11. SUPPLEMENTARY AGENDA (IF ANY)
AANVULLENDE AGENDA (INDIEN ENIGE)
I AGENDA EYONGEZIWEYO (UKUBA IKHONA)

None.

IN-COMMITTEE/ IN-KOMITEE/ KWI-KOMITI

12. CONSIDERATION OF CONFIDENTIAL MATTERS
OORWEGING VAN VERTROULIKE SAKE
UKUQWALASELWA KEMIBA EYIMFIHLO

12.1 CONFIRMATION OF CONFIDENTIAL MINUTES: 29 SEPTEMBER 2016
BEKRAGTIGING VAN VERTROULIKE NOTULES: 29 SEPTEMBER 2016
UKUQINISEKISWA KWEMIZUZU EYIMFIHLO: 29 SEPTEMBER 2016

(See confidential minutes)  
(Sien vertroulike notules)

12.2 REPORTS AND RETURNS: COUNCILLORS OUTSTANDING DEBT REPORT AS AT 30 SEPTEMBER 2016
RAADSLEDE SE UITSTAANDE SKULD VERSLAG OP 30 SEPTEMBER 2016
INGXELO KUNYE NEZIBUYEKEZO: INGXELO YAMATYALA YOCEBA
NGOBUNJALO NGOMHLA WE 30 SEPTEMBER 2016

(See confidential minutes)  
(Sien vertroulike notules)

The meeting ended at 16:31.

**CHAIRPERSON:** .....

**DATE:** .....

Confirmed on ..... with/without amendments.

PJ/mg

**DRAKENSTEIN MUNICIPALITY  
ATTENDANCE REGISTER: COUNCIL  
26 OCTOBER 2016**

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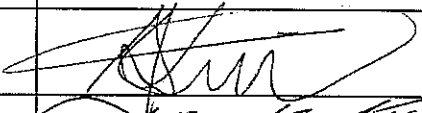
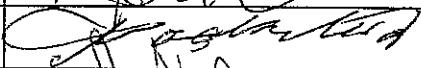

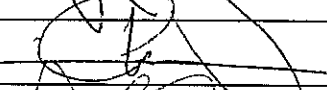

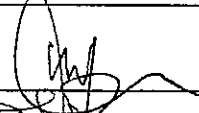
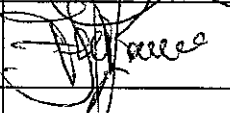
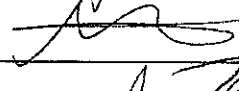
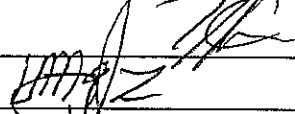
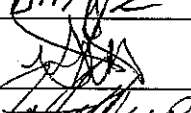
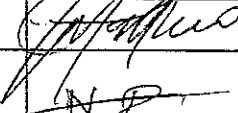
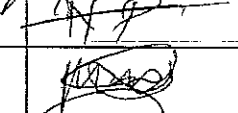




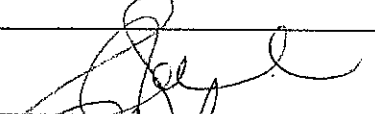
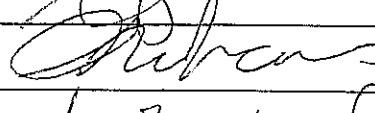

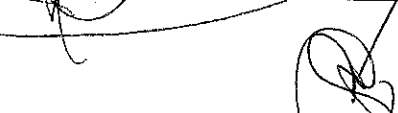

SURNAME	INITIALS	TITLE	CELL NO	SIGNATURE
ABRAHAMS	AW	MS	0737503484	<i>[Signature]</i>
ADRIAANSE	MM	MS	0795089815	<i>[Signature]</i>
AFRIKA	AF	MS	0795021437	<i>[Signature]</i>
ANDERSON	JV	MS	0766851088	<i>[Signature]</i>
ANDREAS	MA	MS	0767901066	<i>[Signature]</i>
ARNOLDS	RB	MS	0824450022	<i>R. Arnolds</i>
BEKEER	A	MR	0793726947	<i>[Signature]</i>
BESTER	TG	MR	0823767839	<i>[Signature]</i>
BLANCKENBERG	DS	MR	0833493366	<i>Apology Chief Whip</i>
BOOYSEN	VC	MS	0798342556	<i>V. Booysen</i>
BUCKLE	AML	MR	0834608060	<i>[Signature]</i>
COMBRINK	GC	MR	0824553445	<i>[Signature]</i>
CUPIDO	FP	MR	0724874744/ 0726975802	<i>[Signature]</i>
CUPIDO	PBA	MS	0764467741	<i>Absent *</i>
DE GOEDE	HR	MR	0824369830	<i>[Signature]</i>
DE WET	J	MS	0837385623 0609687359	<i>[Signature]</i>
DUBA	BP	MS	0739679629	<i>Apology Chief Whip</i>
FORD	GH	MR	0726016418	<i>[Signature]</i>
GEORGE	NN	MS	0736722618	<i>N. N. George</i>
GOUWS	E	MS	0824479711	<i>[Signature]</i>
JACOBS	F	MD	0837600466	<i>Apology Chief Whip</i>
JONAS	SX	MS	0726521981	<i>[Signature]</i>

*[Signature]*  
27/10/2016  
Office of the / Kantoor van die  
**CHIEFWHIP / HOOFSWEEP**  
Cllr / Rdl R.A. KOEGELBERG  
Drakenstein

*\* Awaiting formal apology  
in writing*  
*[Signature]*

**DRAKENSTEIN MUNICIPALITY  
ATTENDANCE REGISTER COUNCIL  
26 OCTOBER 2016**

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SURNAME	NAME	TITLE	CELL NO	SIGNATURE
KEARNS	C	MS	0765018441/ 0769406614	
KLAAS	MT	MR	0814767403/ 0768434749	
KOEGELENBERG	RA	MR	0832693138	
KOTZÉ	HJ	MR	0794311560 0824477693	
KROUTZ	C	MR	0722522866	
LANDU	L	MS	0729187202	
LE HOE	MJ	MR	0845851690	
LE ROUX	JF	MR	0834595965	
LUGQOLA	A	MS	0730896903	
MANGENA	TC	MR	0725937804	
MASOKA	ZL	MR	0791202895	
MATTHEE	HJN	MR	0824795315	
MATTHEE	J	MR	0824486180	
MBENENE	NP	MS	0604141567	
MDUNUSIE	MN	MS	0604531733	
MEYER	WPD	MR	0797589146	
MILLER	J	ADV	0834400507	
MKABILE	ND	MR	0604223964	
MPULANYANA	TR	MR	0769042103	
MOKOENA	LP	MS	0734198671	
NIEHAUS	LV	MR	0844216780	
NOBULA	MD	MR	0825947333	

Office of the  
CHIEFWHIP / HOOFSWEEP  
Clr / Rdl R.A. KOEGELENBERG  
Drakenstein

27/10/2016

**DRAKENSTEIN MUNICIPALITY  
ATTENDANCE REGISTER: COUNCIL  
26 OCTOBER 2016**

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SURNAME	INITIALS	TITLE	CELL NO	SIGNATURE
NQORO	TZ	MS	0790639041	
NZELE	LV	MR	0731622287	
PHILANDER	WF	MS	0765281211	
POOLE	CJ	MR	0785304285 0824979046	
RENS	SC	MR	0795580013	
RICHARDS	AM	MR	0827860053	
ROSS	S	MS	0745499921	
SAMBOKWE	LS	MS	0712664622	
SAUERMAN	ND	MR	0828991005	
SEPTEMBER	SE	MS	0849219770	
SMIT	J	MR	0817354467	
SMIT	WE	MS	0828251550	
SMUTS	R	MR	0824948467	
SOLOMONS	EA	MS	0736503007	
STOWMAN	AC	MR	0791895359	
VAN NIEKERK	LT	MS	0818858365	
VAN NIEWENHUYZEN	RH	MR	0826296239	
VAN SANTEN	AJ	MS	0824226339	
VIKA	M	MS	0797044556/ 0732433996	
WILLEMSE	L	MS	0820799421	
ZIKHALI	N	MS	0784000130	

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