

# DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL ON THURSDAY, 28 APRIL 2016 AT 14:00.

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**PRESENT:** Councillors (see attached schedule)

<b>Senior Officials:</b>	<b>Mr J Carstens</b>	<b>(Acting Municipal Manager)</b>
	<b>Ms A De Beer</b>	<b>(Executive Manager: Corporate Services)</b>
	<b>Mr D Louw</b>	<b>(Executive Manager: Infrastructure Services)</b>
	<b>Mr V Petersen</b>	<b>(Acting Executive Manager: Community Services)</b>
	<b>Ms C Lategan</b>	<b>(Acting Chief Financial Officer)</b>
	<b>Mr D Smit</b>	<b>(Acting Executive Manager: Planning and Development)</b>
	<b>Ms R Jaftha</b>	<b>(Chief Audit Executive)</b>
	<b>Mr A V Marais</b>	<b>(Senior Manager: Legal and Administration)</b>



A handwritten signature in black ink, appearing to be a stylized 'J' or 'K' followed by a flourish.



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

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

- |                     |   |                    |
|---------------------|---|--------------------|
| 1. Clr L W Niehaus  | - | 28 April 2016;     |
| 2. Clr A Allom      | - | 28 April 2016;     |
| 3. Clr S Ross       | - | 28 April 2016; and |
| 4. Clr T E Somgqeza | - | 28 April 2016.     |

<b>2. CONFIRMATION OF MINUTES</b>
<b>BEKRAGTIGING VAN NOTULE</b>
<b>UKUQINISEKISWA KWEMIZUZU</b>

The minutes of the Ordinary meeting of the Municipal Council held on 31 March 2016 was confirmed as correct.

<b>2.1 IMPLEMENTATION OF COUNCIL DECISIONS</b>
<b>IMPLEMENTERING VAN RAADSBESLUIE</b>
<b>UKUMISELWA KWEZIGQIBO ZEBHUNGA</b>

Noted.

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

Noted.

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<b>4. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR/DEPUTY EXECUTIVE MAYOR</b>
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<b>VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER/UITVOERENDE ONDERBURGEMEESTER</b>
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<b>INGXELO KUNYE NOQHAKAMSHELWANO NGU SODOLOPHU /ISEKELA LIKASODOLOPHU</b>
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1. The Executive Mayor referred to the build-up to the Local Government Elections in August 2016, and appealed to all parties to conduct their campaigning which includes protest marches and other activities in a responsible manner and respecting the rights of others; and
2. The Executive Deputy Mayor reminded the meeting that the municipal area may again experience stormy weather over the weekend and that the municipality should be ready for possible flooding and other emergencies.

<b>5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER</b>
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<b>VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER</b>
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<b>INGXELO KUNYE NOQHAKAMSHELWANO NGU SOMLOMO</b>
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The Speaker made the following announcements:-

1. Congratulated councillors celebrating their birthdays during April;
2. Expressed concern with regard to the levels of attendance of IDP meetings by councillors;
3. Expressed condolences to Clr Dr H von Schlicht on the passing of her mother-in-law; and
4. The Speaker allowed Mr Philip and a delegation of the Department of Water and Sanitation to brief Council on the visit of the Deputy Minister of Water and Sanitation to Drakenstein Municipality on 20 May 2016. At this occasion a first prize will be handed over to Amstelhof Primary School as part of their participation in youth programmes presented by the Department. The first prize entails a fully equipped media class room, with the support of MTN.

<b>5.1 DECLARATIONS OF INTERESTS BY COUNCILLORS</b>
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<b>VERKLARINGS VAN BELANGE DEUR RAADSLEDE</b>
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<b>UKUBHENGEZA KOMDLA NGOCEBA/AMAGOSA</b>
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None.



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

<b>6.1 REPLACEMENT OF NATIONAL PEOPLES PARTY (NPP) COUNCILLOR J F MARTIN AND CONGRESS OF THE PEOPLE (COPE) COUNCILLOR C S ROSS</b>
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The Speaker welcomed Cllrs D C Williams (COPE) and B J Chaaban (NPP) as members of Council.

**Noted.**

<b>Meeting:</b> Council – 28/04/2016	<b>Submitted by Directorate:</b> Corporate Services		
<b>Ref No:</b> 3/8/2/2	<b>Author/s:</b> Electoral Commission		
<b>Coll No:</b>	<b>Referred from:</b>		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

<b>7. 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 REPORT AND RECOMMENDATIONS TO COUNCIL FROM THE AUDIT COMMITTEE MEETING HELD ON 25 FEBRUARY 2016</b>
<b>VERSLAG EN AANBEVELINGS VAN DIE OUDITKOMITEE VERGADERING GEHOU OP 25 FEBRUARIE 2016</b>
<b>INGXELO NENGCEBISO KWIBHUNGA EZIVELA KWIKOMITI YOPHICOTHO ZINCWADI YENTLANGANISO 25 FEBRUWARI 2016</b>

**UNANIMOUSLY RESOLVED**

**1.1 Internal Audit:**

- 1.1 that it be noted that the Audit Committee confirms that the organisational structure of Internal Audit is adequate and independent;
- 1.2 that it be noted that audit reports submitted to the Audit Committee are on schedule with the Internal Audit Plan;
- 1.3 that management act timeously on the recommendations made by Internal Audit in their reports; and
- 1.4 that it be noted that the Internal Audit team is still inadequately resourced and that steps are in place to rectify this.

**2. Risk Management:**

- 2.1 that the quarterly Fraud and Risk Management Committee meetings be convened urgently;

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- 2.2 that emerging risks and response plans be tabled at the Fraud and Risk Management Committee meetings;
- 2.3 that Risk Management be embedded in the management of the municipality lead by the Municipal Manager; and
- 2.4 that the Fraud and Risk Management Committee consider carrying out an updated fraud awareness campaign.
3. Ethics Management:
- 3.1 that Management consolidate ethics issues in a formal policy that reflects their behaviour and code of conduct.
4. Administrative Matters:
- 4.1 that management address the filling of key vacancies and at the same time address the skills shortage;
- 4.2 that management include the underlying causes of deviations in their Predetermined Objectives Report to Council; and
- 4.3 that controls be formalised to avoid the re-occurrence of findings reported by the forensic investigations.

<b>Meeting:</b> Council – 28/04/2016	<b>Submitted by Directorate:</b> Office of the Municipal Manager
<b>Ref No:</b> 3/3/1/3/9/1	<b>Author/s:</b> R Jafta
<b>Coll Nr:</b> 1087275	<b>Referred from:</b> EM&MC 20/04/2016
<b>PAR:</b>	<b>ACTION:</b>
	<b>RESPONSIBLE DEPT:</b>
	<b>DUE DATE:</b>

<b>7.2 QUARTERLY PERFORMANCE ASSESSMENT REPORT: QUARTER 3: 1 JANUARY 2016 – 31 MARCH 2016</b>
<b>KWARTAALLIKSE PRESTASIE ASSESSERINGSVERSLAG: KWARTAAL 3: 1 JANUARIE 2016 – 31 MAART 2016</b>
<b>INGXELO YOKUHLOLWA KWESENZO SEKOTA: IKOTA 3: 1 JANUWARI 2016 – 31 MATSHI 2016</b>

**UNANIMOUSLY RESOLVED**

1. that the Quarterly Performance Assessment Report (Quarter 3: 1 January - 31 March 2016), be adopted;
2. that the Quarterly Performance Assessment Report be placed on the Municipal Website after Council adoption; and



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- 2.2 that emerging risks and response plans be tabled at the Fraud and Risk Management Committee meetings;
  - 2.3 that Risk Management be embedded in the management of the municipality lead by the Municipal Manager; and
  - 2.4 that the Fraud and Risk Management Committee consider carrying out an updated fraud awareness campaign.
3. Ethics Management:
- 3.1 that Management consolidate ethics issues in a formal policy that reflects their behaviour and code of conduct.
4. Administrative Matters:
- 4.1 that management address the filling of key vacancies and at the same time address the skills shortage;
  - 4.2 that management include the underlying causes of deviations in their Predetermined Objectives Report to Council; and
  - 4.3 that controls be formalised to avoid the re-occurrence of findings reported by the forensic investigations.

Meeting: Council – 28/04/2016	Submitted by Directorate: Office of the Municipal Manager		
Ref No: 3/3/1/3/9/1	Author/s: R Jafta		
Coll Nr: 1087275	Referred from: EM&MC 20/04/2016		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

<b>7.2 QUARTERLY PERFORMANCE ASSESSMENT REPORT: QUARTER 3: 1 JANUARY 2016 – 31 MARCH 2016</b>
<b>KWARTAALLIKSE PRESTASIE ASSESSERINGSVERSLAG: KWARTAAL 3: 1 JANUARIE 2016 – 31 MAART 2016</b>
<b>INGXELO YOKUHLOLWA KWESENZO SEKOTA: IKOTA 3: 1 JANUWARI 2016 – 31 MATSHI 2016</b>

**UNANIMOUSLY RESOLVED**

- 1. that the Quarterly Performance Assessment Report (Quarter 3: 1 January - 31 March 2016), be adopted;
- 2. that the Quarterly Performance Assessment Report be placed on the Municipal Website after Council adoption; and



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3. that the approved Quarterly Performance Assessment Report (after Council adoption) 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 – 28/04/2016 Ref No: 2/2/8 Coll Nr: 1095256		Submitted by Directorate: Office of the Municipal Manager Author/s: F Qebenya Referred from: EM&MC 20/04/2016	
<b>PAR:</b>	<b>ACTION:</b> Implement decision	<b>RESPONSIBLE DEPT:</b> IDP Manager	<b>DUE DATE:</b>

<b>7.3</b>	<b>TENDERS, QUOTATIONS AND CONTRACTS: SUPPLY CHAIN MANAGEMENT: NOTIFICATION OF MONTHLY TENDER AWARDS: MARCH 2016</b>
	<b>TENDERS, KWOTASIES EN KONTRAKTE: VOORSIENINGSKANAAL BESTUUR: TENDERTOEKENNINGS VIR MAART 2016</b>
	<b>ITENDA, IZINIKI MAXABISO KUNYE NENKONTILAKA: SUPPLY CHAIN MANAGEMNET: ISAZISO SOKUNIKWA KWETHENDA ZENYANGA: MATSHI 2016</b>

**UNANIMOUSLY RESOLVED**

1. that the tenders and contracts that were adjudicated by the Bid Adjudication Committee for the month of March 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 this report, be noted.

Meeting: Council – 28/04/2016 Ref No: 9/1/3 Coll Nr: 1090790		Submitted by Directorate: Financial Services Author/s: Heinrich Vergotine Referred from: EM&MC 20/04/2016	
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

<b>7.4</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 JANUARY 2016 –31 MARCH 2016</b>
	<b>OORSIGROL VAN RAAD: VOORSIENINGSKANAAL BESTUURSBELEID VAN DRAKENSTEIN MUNISIPALITEIT: EERSTE KWARTAAL: 1 JANUARIE 2016 – 31 MAART 2016</b>
	<b>INGXELO NGOKUMILISELWA KWENKUBO YE SUPPLY CHAIN MANAGEMENT YOMASIPALA WASE DRAKENSTEIN: KOTA 1: 1 JANUWARI 2016 – 31 MATSHI 2016</b>

**UNANIMOUSLY RESOLVED**

1. that the report and Annexure A attached to the departmental report, be noted; and



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2. that the report be made public in accordance with Section 21A of the Municipal Systems Act.

<b>Meeting:</b> Council – 28/04/2016 <b>Ref No:</b> 8/1/1 <b>CoH Nr:</b> 1085206	<b>Submitted by Directorate:</b> Financial Services <b>Author/s:</b> Heinrich Vergotine <b>Referred from:</b> EM&MC 20/04/2016		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

<b>7.5 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: MARCH 2016</b>
<b>TENDERS, KWOTASIES EN KONTRAKTE VIR DIE MAAND MAART 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 MATSHI 2016: UKUQHUBEKEKA KOKUBHALA KUNYE NOKUBHALA OKUSEMTHETHWENI KWEZINIKI MAXABISO EZINTATHU KUNYE NOKUNGALANDELI INKQUBO KUNYE NOKULUNGISWA KOKWAPHULWA KWEMITHETHO UNCINCI</b>

**RESOLVED**

1. that the deviations and minor breaches from Council's SCM Policy and procurement processes for the month of March 2016 for the amount of R 4,789,384, 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; and
3. that the Chief Financial Officer records the deviation amount of R 4,789,384 for the financial year in the notes to the annual financial statements for the 2015/2016 financial year as required by legislation.

<b>Meeting:</b> Council - 28/04/2016 <b>Ref No:</b> 8/1/b <b>CoH No:</b> 1090837	<b>Submitted by Directorate:</b> Financial Services <b>Author/s:</b> H Vergotine <b>Referred from:</b> EM&MC 20/04/2016		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

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<b>7.6</b>	<b>DISPOSAL OF MOVABLE CAPITAL ASSETS IN TERMS OF SECTION 14 OF THE MUNICIPAL FINANCE MANAGEMENT ACT</b>
	<b>VERVREEMDING VAN KAPITALE BATES INGEVOLGE ARTIKEL 14 VAN DIE WET OP MUNISIPALE FINANSIËLE BESTUUR</b>
	<b>UKUL AHLWA      KWENKUNZI      YEASETHI      EZINOKUSHENXISWA NGOKWECANDELO 14 LE FINANCE MANAGEMENT ACT      KAMASIPALA</b>

**UNANIMOUSLY RESOLVED**

1. that Council confirms the reasonable grounds that the assets as listed in Annexures A, B and C to the departmental report are not needed to provide the minimum level of basic municipal services;
2. that Council considers the fair market value of the asset and the economic and community value to be received in exchange for the asset; and
3. that any transfer of ownership of a capital asset in terms of section 14(2) or 14(4) of the Municipal Finance Management Act be done in a manner which is fair, equitable, transparent, competitive and consistent with Council's Supply Chain Management Policy, and in this instance be by way of public auction.

Meeting: Council - 28/04/2016 Ref No: 6/2/4 Coll No: 1091426		Submitted by Directorate: Financial Services Author/s: H Vergotine Referred from: EM&MC 20/04/2016	
<u>PAR:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Acting CFO	<u>DUE DATE:</u>

<b>7.7</b>	<b>DRAFT GIFT POLICY FOR DRAKENSTEIN MUNICIPALITY</b>
	<b>KONSEP GESKENKE BELEID VIR DRAKENSTEIN MUNISIPALITEIT</b>
	<b>UYILO LWENKQUBO YESIPHO SIKAMASIPALA WASE DRAKENSTEIN</b>

**UNANIMOUSLY RESOLVED**

that the draft Gift Policy be approved with effect from 1 July 2016.

Meeting: Council - 28/04/2016 Ref No: 8/1/P Coll No: 1092062		Submitted by Directorate: Financial Services Author/s: H Vergotine Referred from: EM&MC 20/04/2016	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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<b>7.8</b>	<b>FINANCE: BUDGETS: APPROVAL OF THE FIRST 2015/2016 OPERATING SPECIAL ADJUSTMENTS BUDGET</b>
	<b>FINANSIES: BEGROTING: GOEDGEURING VAN DIE EERSTE 2015/2016 OPERASIONELE SPESIALE AANSUIWERINGSBEGROTING</b>
	<b>EZEMALI: UQINGQO-MALI: IMVUME YE IST 2015/2016 YOLUNGISO LOYOQINGQO-MALI OLUKHETHEKILEYO OLUSEBENZAYO</b>

**UNANIMOUSLY RESOLVED**

1. that the operating expenditure of R 1,943,930,827 approved by Council in February 2016 be increased with R 5,000,000 to R 1,948,930,827 for the 2015/2016 financial year as set out in Table 1 of the departmental report; and
2. that the operating revenue of R 1,929,152,579 (capital grants included) approved by Council in February 2016 be increased with R 5,000,000 to R 1,934,152,579 for the 2015/2016 financial year as set out in Table 2 of the departmental report.

Meeting: Council - 28/04/2016		Submitted by Directorate: Financial Services	
Ref No: 5/2/2		Author/s: C Lategan	
Coll No: 1094264		Referred from: EM&MC 20/04/2016	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

<b>7.9</b>	<b>FINANCE: LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 52 QUARTERLY AND SECTION 71 MONTHLY BUDGET MONITORING REPORT FOR MARCH 2016</b>
	<b>FINANSIES: WET OP PLAASLIKE REGERING: MUNISIPALE FINANSIËLE BESTUUR: ARTIKEL 52 KWARTAALLIKSE EN ARTIKEL 71 MAANDELIKSE BEGROTING VERSLAGDOENING VIR MAART 2016</b>
	<b>EZEZIMALI: UMTHETHO WOKULAWULWA KWEMALI ZIKAMASIPALA: ICANDELO 52 NGOKWEKOTA KUNYE NECANDELO 71 NGENYANGA INGXELO YOKONGAMELA KOHLAHLA LWABIWO MALI YENYANGA KA MARCH 2016</b>

**UNANIMOUSLY RESOLVED**

1. that it be noted that the variance between the actual operating revenue (R 1,434,133,029) and the pro rata budgeted operating revenue (R 1,397,485,603) has a positive variance of R 36,647,426 or 2.62%;
2. that it be noted that the variance between the actual operating expenditure (R 1,104,745,399) and the pro rata budgeted operating expenditure (R 1,356,732,264) has a positive variance of R 251,986,865 or 18.57%;
3. that it be noted that the actual and committed capital expenditure of R 362,580,257 and the pro rata budgeted capital expenditure of R 406,210,082 realised under spending of R 43,629,824 or 10.74%;

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4. that it be noted that the actual and committed capital expenditure of R 362,580,257 compared with the capital expenditure budget represent a spending percentage of 66.90% after nine months of the financial year;
5. that it be noted that external borrowings amounted to R 676,379,846 as at 31 March 2016 and that it represents 35.06% of Drakenstein's total budgeted operating revenue of R 1,929,152,579 for the 2015/2016 financial year;
6. that it be noted that unspent conditional and unconditional grants amounted to R 127,773,208 at the end of March 2016 taking into account the opening balance, grant receipts, operating and capital grants utilised during the month;
7. that it be noted that the actual employee related cost expenditure of R 314,738,892 compared with the pro rata budgeted expenditure of R 333,318,020 relates to a positive variance of R 18,579,129 or 5.57%;
8. that it be noted with concern that total outstanding debtors as at 31 March 2016 amounted to R 300,422,510 and that 30 days and older debt constitutes 60.04% of total outstanding debtors;
9. that it be noted with concern that domestic consumers owe the municipality R 199,529,034 or 66.4% of the municipality's total debtor's book;
10. that it be noted that outstanding creditors amounted to R 300,457 as at 31 March 2016;
11. that it be noted that the primary bank account had a positive bank balance at 31 March 2016 which amounted to R 33,152,351; and
12. that it be noted that total investments in cash and shares amounted to R 219,669,315 as at 31 March 2016 at the five local banks and Eskom.

Meeting: Council - 28/04/2016		Submitted by Directorate: Financial Services	
Ref No: 9/1/1/4		Author/s: A Viola	
Coll No: 1094680		Referred from: EM&MC 20/04/2016	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>



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<b>7.10</b>	<b>REQUEST FOR THE REMOVAL OF INFORMAL TRADING STRUCTURES AT NEW STREET AND OU TUIN SUB-STATION IN PAARL</b>
	<b>VERSOEK VIR DIE VERWYDERING VAN INFORMELE HANDELSTRUKTURE IN NUWESTRAAT EN OU TUIN SUBSTASIE IN PAARL</b>
	<b>ISICELO SOKUSUSA INDAWO YOKUTHENGISELA ENGEKHO MTHETHWENI E NEW STREET NASE OU TUIN SUB-STATION E PAARL</b>

An amendment to the recommendation of the Executive Mayor and Mayoral Committee was tabled and unanimously supported.

**UNANIMOUSLY RESOLVED**

1. that an investigation be done, through public participation regarding the possible re-allocation of informal structures in New Street; and
2. that in terms of Section 14 of the MFMA the relocation of the three structures in Ou Tuin Substation, be approved.

Meeting: Council - 28/04/2016 Ref No: 15/1 Coll No: 1086036		Submitted by Directorate: Planning and Economic Development Author/s: C Phillips Referred from: Special EM&MC 30/03/2016	
<u>PAR:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> EM: Planning and Econ Dev (Manager: LED)	<u>DUE DATE:</u>

<b>7.11</b>	<b>DRAKENSTEIN MUNICIPALITY SOCIAL HOUSING: DRAFT AFFORDABLE RENTAL HOUSING STRATEGY AND DEMARCATION OF RESTRUCTURING ZONES</b>
	<b>DRAKENSTEIN MUNISIPALITEIT MAATSKAPLIKE BEHUISING: KONSEP BEKOSTIGBARE HUUR BEHUISINGSTRATEGIE EN AFBAKENING VAN HERSTRUKTURERINGSONES</b>
	<b>IZINDLU ZOLUNTU ZIKA MASIPALA WASE DRAKENSTEIN: IZINDLU EZIRENTWAYO EZIFIKELELEKAYO NEMIMANDLA NGOKUTSHA</b>

**UNANIMOUSLY RESOLVED**

1. that the draft Rental Housing Strategy and Plan for Drakenstein Municipality be approved in principle;
2. that the demarcated restructuring zones for Drakenstein Municipality be approved in principle; and
3. that the proposed sites within the restructuring zones be submitted to Council for a final decision before a site specific process is embarked upon.

Meeting: Council - 28/04/2016 Ref No: 17/5/3/2 Coll No: 1091206		Submitted by Directorate: Community Services Author/s: G Boshoff Referred from: EM&MC 20/04/2016	
<u>PAR:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Senior Manager: Housing	<u>DUE DATE:</u>

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<b>7.12 RENEWAL OF LEASE AGREEMENT WITH WAMAKERSVALLEI VOORTREKKERS IN RESPECT OF ERVEN 1294 AND 1295 WELLINGTON</b>
<b>HERNUWING VAN HUUROORENKOMS MET WAMAKERSVALLEI VOORTREKKERS TEN OPSIGTE VAN ERWE 1294 EN 1295 WELLINGTON</b>
<b>UKUHLAZIYWA KWESIVUMELWANO SENGQESHISO YEWAMAKERSVALLEI VOORTREKKERS NGOKUBHEKISELELE KWIZIZA EZINGUNOMBOLO 1294 KUNYE 1295 EWELLINGTON</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 Erven 1294 and 1295 Wellington, measuring ±4107m<sup>2</sup> and 4458 m<sup>2</sup> in extent, to the Wamakersvallei Voortrekkers, subject to the standard lease conditions as well as the following further conditions:-
  - 1.1 the property be leased at a subsidized rental of R958.04 per month (VAT excluded and 8% escalation included);
  - 1.2 the lease will endure for a period of one year;
  - 1.3 that the applicant be responsible for the payment of all municipal services;
  - 1.4 that the lease be advertised in the press for possible objections or counter offers;
  - 1.5 that all administrative and legal requirements be adhered to; and
  
2. that the property not be put out on tender at this stage, since the property has been utilised by the Wamakersvallei Voortrekkers for more than 40 years and the institution provides an important service to the community of Drakenstein.

Meeting: Council -28/04/2016		Submitted by Directorate: Corporate Services	
Ref No: 15/4/1 (1294) x 15/4/1 (1295)W		Author/s: N Marais	
Coll No: 980841		Referred from: EM&MC 20/04/2016	
<u>PAR:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Manager: Properties	<u>DUE DATE:</u>

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<b>7.13 RENEWAL OF LEASE AGREEMENT IN RESPECT OF LEASE OF BUILDING ON A PORTION OF ERF 34 WELLINGTON TO THE WELLINGTON COMMUNITY LEARNING CENTRE</b>
<b>HERNUWING VAN HUURKONTRAK VIR VERHURING VAN DIE MUNISIPALE GEBOU GELEË OP 'N GEDEELTE VAN ERF 34 AAN DIE WELLINGTON GEMEENSAP LEERDERSENTRUM</b>
<b>UKUHLAZIYWA KWESIVUMELWANO SOKUQESHA NGOKUBHEKISELELE KUKUQESHA KWESAKHIWO KWISAHLULO SESIZA ESINGUNOMBOLO 34, EWELLINGTON KWIWELLINGTON COMMUNITY LEARNING CENTRE</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 municipal building situated on a portion of Erf 34 Wellington in Hospital Street, to the Wellington Community Learning Centre, subject to the standard lease conditions, as well as the following further conditions:-
  - 1.1 the property will be leased at the current subsidized rental of R 1338,16 per month, which is calculated at 20% of the market value (VAT excluded);
  - 1.2 the lease will endure for one year, during which period the application to purchase the property will be considered;
  - 1.3 all conditions of lease as provided for in the current lease, will remain applicable;
2. that tenders not be called for the lease of the said land due to the reason that the Wellington Learning Centre is rendering a key service by addressing the educational needs of the community. The project is supported by the Western Cape Education Department; and
3. that a report regarding the proposed sale of the property be submitted to Council.

Meeting: Council -28/04/2016 Ref No: 15/4/1(34)W Coll No: 1085274		Submitted by Directorate: Corporate Services Author/s: Nico Marais Referred from: EM&MC 20/04/2016	
<b>PAR:</b>	<b>ACTION:</b> Inform applicant	<b>RESPONSIBLE DEPT:</b> Manager: Properties	<b>DUE DATE:</b>

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<b>7.14</b>	<b>PROPOSED ALIENATION OF ERF 10235 CORONA STREET, WELLINGTON TO KATHY'S EDUCARE AND PRE-PRIMARY SCHOOL</b>
	<b>VOORGESTELDE VERVREEMDING VAN ERF 10235 CORONA STRAAT WELLINGTON AAN KATHY'S EDUCARE EN PRE-PRIMÈRE SKOOL</b>
	<b>UKUHLUTHWA KOBUMNINI OKUCETYWAYO KWISIZA ESINGUNOMBOLO 10235 ECORONA STREET, E WELLINGTON BUNIKEZELWE KWIKATHY'S EDUCARE AND PRE-PRIMARY SCHOOL</b>

**UNANIMOUSLY RESOLVED**

1. that in terms of Section 14 of the Municipal Finance Management Act, final approval be granted for the alienation of Erf 10235, Wellington, measuring  $\pm 705\text{m}^2$ , situated in Corona Street, Wellington to Kathy's Educare and Pre-Primary School with NPO Registration No. 094-430, subject to the standard conditions of sale and the following further conditions:-
  - 1.1 that the property be sold for the development of an early childhood development centre;
  - 1.2 that the property be sold at a subsidized selling price of R17 500.00, which is calculated at 5% of the market value (R350 000.00);
  - 1.3 that the applicant be responsible for the obtaining of all the required land use rights, the cost of which will be for the applicant's account, in order to use the site for the intended use;
  - 1.4 that all costs related to the transfer and development of the properties will be for the account of the applicant;
  - 1.5 that all administrative and legal requirements be adhered to;
  - 1.6 that should it be required, the relocation or protection of any municipal services must be done in consultation with the Directorate Infrastructure Services, at the applicant's account;
  - 1.7 that all municipal services on the subject property must remain accessible to the Municipality at all times;
  - 1.8 that no structures will be allowed within 2 metres of any municipal services;
  - 1.9 that any damage caused to municipal services will be repaired at the cost of the applicant;
  
2. that a reversionary clause be registered against the title of the subject property in favour of the Drakenstein Municipality should the applicant intend to sell the undeveloped property or a portion thereof or fail to complete the development within 24 months from date of registration;
  
3. that the applicant be required to:
  - 3.1 commence with the lodging of building plans within 3 (three) months from signing the deed of sale;



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3.2 complete the development within 24 months from date of transfer; and

4. that the subject property not be sold via public tender process due to the fact that the property will be developed into a much needed facility in the area. The applicant is an existing and well-established organization within the area with the knowledge, expertise and experience to successfully establish and manage an early childhood development centre together with all its ancillary functions. A public consultation process was followed and no objections or counter offers have been received.

Meeting: Council -28/04/2016 Ref No: 15/4/1 (10235)W Coll No: 1085461		Submitted by Directorate: Corporate Services Author/s: NC Marais Referred from: EM&MC 20/04/2016	
<u>PAR:</u>	<u>ACTION:</u> Inform applicant	<u>RESPONSIBLE DEPT:</u> Manager: Properties	<u>DUE DATE:</u>

<b>7.15</b>	<b>PROPOSED RENEWAL OF LEASE OF MUNICIPAL PROPERTY SITUATED ON A PORTION OF ERF 1667 WELLINGTON TO THE WELLINGTON G-VOUCHER PROJECT</b>
	<b>VOORGESTELDE HERNUWING VAN HUUR: MUNISIPALE EIENDOM GELEË OP 'N GEDEELTE VAN ERF 1667 WELLINGTON AAN DIE WELLINGTON G-VOUCHER PROJEK</b>
	<b>UHLAZIYO OLUCETYWAYO LWENGQESHISO YEPROPATI KAMASIPALA EKWIS AHLULO SESIZA ESINGUNOMBOLO 1667 EWELLINGTON KWIWELLINGTON G-VOUCHER PROJECT</b>

**UNANIMOUSLY RESOLVED**

1. that in terms of Regulation 34 of the Municipal Asset Transfer Regulations, final approval be granted for the renewal of the lease of a portion of Erf 1667, Wellington, in extent ±1000m<sup>2</sup> to the G-Voucher Project, subject to the standard lease conditions as well as the following further conditions:-
  - 1.1 the property will be leased at a rental of R150.00 per month (VAT excluded);
  - 1.2 that the lease will endure for a period of three (3) months, commencing from 1 May 2016;
  - 1.3 that the G-Voucher Project be responsible for the payment of municipal services;
  - 1.4 that all administrative and legal requirements be adhered to; and
2. that tenders not be called for since the property is currently used by the G-Voucher Project for the rendering of a unique service which forms part of a wider social initiative of the lessee to provide in some of the most basic needs of residents in need of such support.

Meeting: Council -28/04/2016 Ref No: 15/4/1 (1667) W Coll No: 1086382		Submitted by Directorate: Corporate Services Author/s: N Marais Referred from: EM&MC 20/04/2016	
<u>PAR:</u>	<u>ACTION:</u> Inform applicant	<u>RESPONSIBLE DEPT:</u> Manager: Properties	<u>DUE DATE:</u>

7.16	<b>RENEWAL OF LEASE AGREEMENT FOR THE LEASE OF THE SPORT FACILITY ON ERF 7156 BLAKE STREET, PAARL – OLD MILL SPORTS ASSOCIATION</b>
	<b>HERNUWING VAN HUURKONTRAK VIR DIE VERHUUR VAN SPORTFASILITEIT OP ERF 7156 BLAKESTRAAT, PAARL – OU MEUL SPORT ASSOSIASIE</b>
	<b>UKUKHLAZIWA KWESIVUMELWANO SENGQESHO UKUZE          KUQESHISWE INDAWO YEZEMIDLALO KWISIZA 7156 BLAKE          STREET, PAARL – OLD MILL SPORTS ASSOCIATION</b>

**UNANIMOUSLY RESOLVED**

1. that in terms of Regulation 34 of the Municipal Asset Transfer Regulation, **final approval** be granted for the renewal of the lease of the municipal property situated on a portion of Erf 7156 Paarl to the Old Mill Sport Association, subject to the standard lease conditions as well as the following further conditions:-
  - 1.1 the property will be leased at a subsidized rental amount of R 295.00 per month calculated at 10% of the market value (VAT excluded, 8% annual escalation included);
  - 1.2 the lease will endure for a period of 2 years, after which the renewal thereof will be reviewed by Council;
  - 1.3 all administrative and legal requirements be adhered to;
2. that the applicant be responsible for the payment of municipal services;
3. that the applicant be allowed to use the toilet facilities in the adjacent municipal building;
4. that the property be leased for a period of two years, with a cancellation clause of three months should Council need the property for redevelopment and/or municipal purposes; and
5. that the proposed lease of the property not be put out on tender since it is the renewal of an existing lease.

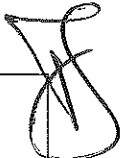
Meeting: Council -28/04/2016 Ref No: 15/4/1 (7156)P Coll No: 1087024		Submitted by Directorate: Corporate Services Author/s: N Marais Referred from: EM&MC 20/04/2016
<u>PAR:</u>	<u>ACTION:</u> Inform applicant	<u>RESPONSIBLE DEPT:</u> Manager: Properties
		<u>DUE DATE:</u>

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<b>7.17</b>	<b>LEASE OF MUNICIPAL PROPERTY SITUATED ON A PORTION OF ERF 1297 GENERAL HERTZOG AVENUE, WELLINGTON TO KABOUTERPLAAS CRECHE FOR PURPOSES OF AN AFTERCARE CENTRE</b>
	<b>VOORGESTELDE DIREKTE VERHURING VAN 'N GEDEELTE VAN ERF 1297 GENERAAL HERTZOGLAAN, WELLINGTON AAN KABOUTERPLAAS KLEUTERSKOOL</b>
	<b>UKUQESHISWA KWEPROPATI KAMASIPALA EKWISAHLULO SESIZA ESINGUNOMBOLO 1297, EGENERAL HERTZOG AVENUE, EWELLINGTON KWIKRESHE IKABOUTERPLAAS NGENJONGO ZOKWENZIWA IZIKO LOLONGO XA KUPHUME ISIKOLO</b>

**UNANIMOUSLY RESOLVED**

1. that in terms of Regulation 34 of the Municipal Asset Transfer Regulations, final approval be granted for the lease of the property situated on Erf 1297, Wellington to Kabouterplaas Educare, subject to the standard lease conditions as well as the following further conditions:-
  - 1.1 the property will be leased at a market related rental of R3 120,00 per month (VAT excluded and 8% annual escalation included);
  - 1.2 that the lease endure for a period of two years, after which the renewal thereof may be reviewed by Council;
  - 1.3 that the lessee be responsible for the payment of municipal services. Application must be made to the municipality for the necessary services and the required connection fees and deposits are payable;
  - 1.4 that the lessee be responsible for the payment of the outstanding utility services as the property is currently being occupied by Kabouterplaas Educare;
  - 1.5 that the crèche registers the site with the Department of Social Development within 6 months from final approval of the proposed lease;
  - 1.6 that all administrative and legal requirements be adhered to;
  
2. that a new Electricity Certificate of Compliance be issued by the Municipality in terms of Section 2(3) and Section 7(5) of the Electricity Installation Regulations of the Occupational Health and Safety Act, Act 85 of 1993, as amended; and
  
3. that the Council resolution dated 25 November 2015 to lease the property to Wellington Pigeon Club, be rescinded.

Meeting: Council -28/04/2016 Ref No: 15/4/1 (1297)W Coll No: 1087835		Submitted by Directorate: Corporate Services Author/s: N Marais Referred from: EM&MC 20/04/2016	
<b>PAR:</b>	<b>ACTION:</b> Inform applicant	<b>RESPONSIBLE DEPT:</b> Manager: Properties	

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<b>7.18 PROPOSED TRANSFER OF LEASE OF ERF 10186, PAARL FROM MONTE CHRISTO MINISTRIES NPC (IN LIQUIDATION) TO MIQLAT NPC</b>
<b>VOORGESTELDE OORPLASING VAN HUUR VAN ERF 10186, PAARL VANAF MONTE CHRISTO BEDIENING NPC (IN LIKWIDASIE) NA MIQLAT NPC</b>
<b>UKUKHUTSHELWA OKUCETYWAYO KOKUQESHISWA KWESIZA ESINGUNOMBOLO 10186, EPAARL SISUKA KWIMONTE CHRISTO MINISTRIES NPC (ETSHONAYO) SISIYA KWIMIQLAT NPC</b>

**UNANIMOUSLY RESOLVED**

1. that in terms of Regulation 34 of the Municipal Asset Transfer Regulations, final approval be granted for the lease of Erf 10186, Paarl, measuring 5,4177 hectare in extent, to Miqlat NPO, subject to the standard lease conditions as well as the following further conditions:-
  - 1.1 that the property be leased free of charge as provided for in terms of the applicable legislation and policy, because the facility is used to the benefit of the broader community and considerable amounts are being invested by the lessee in maintaining and upgrading of the facilities;
  - 1.2 that the property be leased for a period of 2 years, after which renewal thereof may be considered by Council;
  - 1.3 that the property only be used for sport related purposes;
  - 1.4 that the property remain accessible to the public;
  - 1.5 that the lessee be responsible for the payment of all municipal services excluding water consumption for irrigation purposes;
  - 1.6 that the water consumption for the facilities, excluding the irrigation of the sport fields be paid by the lessee and that for purposes of metering this usage, a separate water meter be installed;
  - 1.7 that the lessee be required to make provision for the use of one of the sport fields by the Paarl East Cricket Club for their league commitments;
2. that a free quota of 5460 kl of water per irrigation cycle (6 months) for irrigation purposes be approved, which quota will reduce by 10% in case of Level 1 water restrictions, 20% for Level 2 water restrictions and 30% for Level 3 water restrictions;
3. that the approved tariffs will be payable for water consumed in excess of the above free quota;



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4. that the free quota of water be subject to the following conditions:
  - 4.1. Irrigation is permitted only before 10:00 and after 16:00, during which there must be supervision at all times;
  - 4.2. Leaks on the irrigation system immediately be repaired by Miqlat at its own expense;
  - 4.3. In cases where the above is ignored by Miqlat, the irrigation system will be disconnected at the applicable rate during office hours and after hours and on weekends/holidays;
5. that the property not be put out on tender since Miqlat NPO will be rendering a unique service by continuing the maintenance and upgrading of sports facilities that were developed by a sister company at substantial cost and are currently running various sports programmes on site for the good of the broader community; and
6. that Council condone the decision by the Municipal Manager to allow the interim use of the facilities by the applicant until a final decision is taken.

Meeting: Council -28/04/2016 Ref No: 17/7/2/2/1/9 X15/4/1 (10816) P Coll No: 1089689		Submitted by Directorate: Corporate Services Author/s: N Marais Referred from: EM&MC 20/04/2016	
<u>PAR:</u>	<u>ACTION:</u> Implement decision and inform applicant	<u>RESPONSIBLE DEPT:</u> Manager: Properties	<u>DUE DATE:</u>

<b>7.19</b>	<b>PROPOSED SALE OF A PORTION OF ERF 4403 WELLINGTON TO THE OWNER OF ADJACENT ERF 6535 WELLINGTON</b>
	<b>VOORGESTELDE VERKOOP VAN 'N GEDEELTE VAN ERF 4403 WELLINGTON AAN DIE EIENAAR VAN ERF 6535 WELLINGTON</b>
	<b>UKUCETYWA KOKUTHENGISWA KWESAHLULO 4403 WELLINGTON KUMNIKAZI WESIZA ESAYAMENEYO 6535 WELLINGTON</b>

**UNANIMOUSLY RESOLVED**

1. that in terms of Section 14 of the MFMA Council resolves:-
  - 1.1 that the subject property is not needed to provide the minimum level of basic municipal services;
  - 1.2 that the fair market value of the asset and the economic and community value to be received in exchange for the asset has been considered;
2. that in terms of Section 14 of the MFMA final approval be granted for the direct alienation of a portion of Erf 4403 Wellington, measuring ±132m<sup>2</sup> in extent to Beveratech Properties (Pty) Ltd subject to the standard conditions of sale as contained in Council's Asset Transfer Policy and the following further conditions:-
  - 2.1 the property be sold at a market related selling price of R35 000,00 (VAT excl);



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- 2.2 that the portion of the Public Open Space to be sold, be closed, subdivided, rezoned from Public Open Space to Industrial; and consolidated with the applicant's property, Erf 6535 Wellington;
- 2.3 that no structure be allowed within 3m or over any services on the portion of Erf 4403 Wellington. Such services shall at all times remain accessible for maintenance purposes;
- 2.4 that the municipality be indemnified against any and all claims related to this approval;
- 2.5 that all costs related to the transfer of the property will be for the applicant's account;
- 2.6 that all administrative and legal requirements be adhered to;
3. that the applicant be allowed to proceed with the submission of a building plan for the construction of a new boundary wall on the new erf boundary, for security reasons; and
4. that tenders not be called for the sale of the land since it cannot be used as an entity by another party.

Meeting: Council -28/04/2016 Ref No: 7/2/4/2 Coll No: 1089775		Submitted by Directorate: Corporate Services Author/s: N Marais Referred from: EM&MC 20/04/2016
<u>PAR:</u>	<u>ACTION:</u> Inform applicant	<u>RESPONSIBLE DEPT:</u> Manager: Properties
		<u>DUE DATE:</u>

<b>7.20</b>	<b>PROPOSED AMENDMENT TO ORGANISATIONAL STRUCTURE: SECTION FACILITIES AND PROPERTIES: CORPORATE SERVICES</b>
	<b>VOORGESTELDE VERANDERING AAN ORGANISASIESTRUKTUUR: AFDELING FASILITEITE EN EIENDOMME: KORPORATIEWE DIENSTE</b>
	<b>UKULUNGISWA OKUCETYWA KUBUME BOMBUTHO: ICANDELO LEZIBONELELO NEEPROPATI: IINKOZO EZIMANYENEYO</b>

**UNANIMOUSLY RESOLVED**

- that the current staff structure of the Section Facilities and Properties (Corporate Services) be amended in order to make provision for the creation of two additional posts i.e. 1 x Administrative Officer and 1 x Clerk responsible for competitive land transactions and development monitoring as reflected on Annexure B to the departmental report;
- that it be noted that the current functions of the existing posts in the Properties Division will be re-organised as per Annexure C to the departmental report, in order to ensure effective work performance;
- that it be noted that the proposed changes have been duly consulted with the Unions, and no objections were raised;
- that the new position/s be advertised and filled, subject to availability of funding as per the approved budget;



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5. that the job descriptions of the posts be compiled and graded in order to allow for the filling of budgeted positions; and
6. that the amended structure be populated in accordance with the Placement Policy already adopted by Council.

<b>Meeting: Council -28/04/2016</b>		<b>Submitted by Directorate: Corporate Services</b>	
<b>Ref No: 2/B</b>		<b>Author/s: A V Marais</b>	
<b>Coll No: 1089827</b>		<b>Referred from: EM&amp;MC 20/04/2016</b>	
<b><u>PAR:</u></b>	<b><u>ACTION:</u></b>	<b><u>RESPONSIBLE DEPT:</u></b>	<b><u>DUE DATE:</u></b>

<b>7.21</b>	<b>PROPOSED ALIENATION OF UNREGISTERED ERF 35236 (A PORTION OF ERF 34913) PAARL, TO THE WESTERN CAPE GOVERNMENT VIA ITS DEPARTMENT OF TRANSPORT AND PUBLIC WORKS FOR THE PURPOSES OF CONSTRUCTING A SCHOOL</b>
	<b>VOORGESTELDE VERVREEMDING VAN ONGEREGISTREERDE ERF 35236 (GEDEELTE VAN ERF 34913) PAARL AAN WES-KAAPSE REGERING VIA DIE DEPARTEMENT VAN VERVOER EN OPENBARE WERKE VIR DIE KONSTRUKSIE VAN 'N SKOOL</b>
	<b>UKUCETYWA KOKUHLUTHWA KOBUMNINI BESIZA 35236 (IS AHLULO SESIZA 34913) PAARL, ESINGABHALISWANGA, IHLUTHELWA IWESTERN CAPE GOVERNMENT NGOKWE DEPARTMENT OF TRANSPORT AND PUBLIC WORKS YAYO UKUZE KWENZIWE ISIKOLO</b>

**UNANIMOUSLY RESOLVED**

1. that in terms of Section 14(6) of the Municipal Finance Management Act, read with Regulation 20 of the Municipal Asset Transfer Regulations, approval be granted for the alienation of Erf 35236 Paarl to Western Cape Government via its Department of Transport and Public Works, at the purchase price of R1, subject to the normal conditions of sale as well as the following further conditions:-
  - 1.1 that the subject property only be developed as a school;
  - 1.2 in the event that the property is no longer required for school purposes, the property must revert back to the Municipality at the initial purchase price or parties must agree what the property will be used for;
  - 1.3 that Erf 35236 Paarl revert to the municipality at the same purchase price, should a primary school not be completed within three (3) years from the date of registration of transfer in the Deeds Office, or an extended period as agreed between the Municipality and the WCG;
  - 1.4 that all administrative and legal requirements be adhered to;
  - 1.5 that WCG be liable for all costs related to the transfer of the subject property;
  - 1.6 a full civil services plan be submitted to the Municipality to be approved simultaneously with the building plan;

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- 1.7 a GLS report is required to determine the capacity of services in the area, which assessment will be for the applicant's account; and
- 1.8 a Traffic Impact Assessment is required to determine the capacity of services in the area, which assessment will be for the Applicant's account.
2. that permission be granted to the Department to occupy Erf 35236 Paarl in order to commence with the preparation of the site for construction, prior to the registration of transfer of the said erf; subject to complying with all conditions both legal and relating to the development of the erf, on condition that no building work be undertaken prior to the registration of transfer and the obtaining of the necessary approved building plans; and
3. that it be confirmed that the land being alienated (Erf 35236) is not required for the provision of the minimum level of basic municipal services.

Meeting: Council -28/04/2016 Ref No: 15/4/1 (16161)P Coll No: 1091877		Submitted by Directorate: Corporate Services Author/s: N October Referred from: EM&MC 20/04/2016	
<u>PAR:</u>	<u>ACTION:</u> Inform Department	<u>RESPONSIBLE DEPT:</u> Manager: Properties/ Senior Manager: Housing	<u>DUE DATE:</u>

<b>7.22 PROPOSED ALIENATION AND DEVELOPMENT OF MUNICIPAL PROPERTY SITUATED IN WELGELEGEN STREET, PAARL</b>
<b>VOORGESTELDE VERVREEMDING EN ONTWIKKELING VAN MUNISIPALE GROND GELEË IN WELGELEGENSTRAAT, PAARL</b>
<b>UKUCETYWA KOKUPHETSHETHWA NOKUPHUHLISWA KWEPROPATI KAMASIPALA EKWISITALATO IWELGELEPERE</b>

**UNANIMOUSLY RESOLVED**

1. that in terms of Section 14 of the Municipal Finance Management Act, **approval in principle** be granted for the direct alienation of Erven 8270 and 10996, Paarl, measuring ±896m<sup>2</sup> and 779m<sup>2</sup> in extent, respectively, to Carheim (Pty) Ltd Reg No 2001/001970/07, for private parking purposes, at a market related selling price plus 10%, subject to the normal conditions of sale as well as the following conditions:
  - 1.1 the subject properties may only be used for vehicular parking purposes and no workshops/repairs may be done on the relevant properties in order to limit the impact of the use of the properties on the surrounding residential area;
  - 1.2 the subject properties must be rezoned from "Single residential" to "Special Business" restricted to parking of vehicles only;
  - 1.3 all required land use applications must be undertaken by and at the cost of the applicant;
  - 1.4 that the proposed transaction be advertised for objections and counter offers;





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- 1.5 a valuation must be obtained from an independent valuer;
  - 1.6 that all administrative and legal requirements be adhered to;
  - 1.7 all costs related to the transaction will be for the applicant's account;
  - 1.8 that the standard pre-emptive rights be registered against the title of the subject properties in favour of Drakenstein Municipality;
  - 1.9 that the applicant be required to obtain approval for the required land use rights and complete the parking development within 18 months from date of registration of transfer;
  - 1.10 that the applicant undertake the closure, rezoning and parking development on the municipal Erven 11875 and 7008 Paarl, the cost of which construction will be set-off against the purchase price of Erven 8270 and 10996 Paarl. The construction of the parking area on Erven 7008 and 11875 Paarl must be completed together with the parking development on Erven 8270 and 10996 Paarl and within the same time frame. The parking development must comply with the specifications of the Civil Engineering Department;
2. that the direct sale of Erven 8270 and 10996 Paarl be approved in view of the fact that the land is abutting the existing property of the applicant, which land is required for the expansion of the business for parking purposes as well as the fact that the development of the private parking together with the proposed public parking will jointly address the parking needs in this area and will therefore undertaken as one project;
  3. that the alienation of Erven 7007 and 8269 Paarl as a consolidated land unit via public auction for residential or office accommodation purposes be approved in principle; and
  4. that the proposed alienation of all the erven referred to above be advertised for comment or alternative offers.

Meeting: Council -28/04/2016 Ref No: 17/5/4/1 Coll No: 1084518		Submitted by Directorate: Corporate Services Author/s: N October Referred from: Special EM&MC 30/03/2016	
<u>PAR:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Manager: Properties	<u>DUE DATE:</u>

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

<b>8.1 REPORT ON WARD COMMITTEE MEETINGS: 3RD QUARTER 2015/2016</b>
<b>VERSLAG OOR WYKSKOMITEE VERGADERINGS: 3DE KWARTAAL 2015/2016</b>
<b>INGXELO KWIBHUNGA MALUNGA NEENTLANGANISO ZEEKOMITI ZAMACANDELO EBEZIBANJWE KWIKOTA YESITHATHU 2015/2016</b>

**UNANIMOUSLY RESOLVED**

1. that the ward committee meetings held during the third quarter of the 2015/2016 financial year (1 January 2016 – 31 March 2016), be noted;
2. that appropriate actions be taken against ward councillors who do not provide the minutes of ward meetings or do not hold a ward committee meeting at least once a quarter; and
3. that the report be updated should minutes of meetings held be provided to the Office of the Speaker after the reporting period.

Meeting: Council -28/04/2016		Submitted by Directorate:	
Ref No:		Author/s:	
Coll No:		Referred from:	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

<b>9. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY BY THE MUNICIPAL MANAGER</b>
<b>OORWEGING VAN VERSLAE, MEDEDELINGS, VERSOEKSKRIFTE EN AANSOEKE IN VERBAND MET DRINGENDE SAKE VOORGELÉ DEUR DIE MUNISIPALE BESTUURDER</b>
<b>UKUQWALASELWA KWENGXELO, UQHAKAMSHELWANO, IZIBENGEZO KUNYE NEZICELO EZIHAMBISANA NEMIBA ENGXAMISEKILEYO NGU MANEJALA KAMASIPALA</b>

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

None.



MINUTES: COUNCIL/RAAD/IBHUNGA  
28 APRIL 2016

<b>11. SUPPLEMENTARY AGENDA (IF ANY)</b>
<b>AANVULLENDE AGENDA (INDIEN ENIGE)</b>
<b>I AGENDA EYONGEZIWEYO (UKUBA IKHONA)</b>

None.

<b>IN-COMMITTEE/ IN-KOMITEE/ KWI-KOMITI</b>
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<b>12. CONSIDERATION OF CONFIDENTIAL MATTERS</b>
<b>OORWEGING VAN VERTROULIKE SAKE</b>
<b>UKUQWALASELWA KEMIBA EYIMFIHLO</b>

<b>12.1 CONFIRMATION OF CONFIDENTIAL MINUTES: MARCH 2016</b>
<b>BEKRAGTIGING VAN VERTROULIKE NOTULE: MAART 2016</b>
<b>UKUQINISEKISWA KWEMIZUZU EYIMFIHLO: MATSHI 2016</b>

(See confidential minutes)  
(Sien vertroulike notules)

<b>12.2 COUNCILLORS OUTSTANDING DEBT REPORT AS AT 31 MARCH 2016</b>
<b>VERSLAG OOR UITSTAANDE SKULD VAN RAADSLEDE: 31 MAART 2016</b>
<b>INGXELO YAMATYALA YOCEBA NJENGOBUNJALO KWINYANGA: 31 MATSHI 2016</b>

(See confidential minutes)  
(Sien vertroulike notules)

The meeting ended at 15:17.

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

**DATE:** ..... *20/5/2016* .....

Confirmed on ..... *20th May 2016* ..... ~~with~~/without amendments.

*PJ/mn*



DRAKENSTEIN MUNICIPALITY  
ATTENDANCE REGISTER: COUNCIL MEETING  
28 APRIL 2016

SURNAME	INITIALS	TITLE	ID NUMBER	CELL NO	SIGNATURE
ADAMS	ND	DR	6810105247084	073 583 7762	<i>[Signature]</i>
ADRIAANSE	MM	MS	5201210023080	079 508 9815	<i>[Signature]</i>
AFRIKA	AF	MS	6810130057082	079 502 1437	<i>[Signature]</i>
ALLOM	A	MS	5710280198085	082 666 8103	<i>[Signature]</i>
APOLLIS	CJJ	MR	5703055147080	071 081 1931	<i>[Signature]</i>
ARNOLDS	RB	MS	7011270287089	082 445 0022	<i>R. Arnolds</i>
BEKEER	A	MR	5909065119080	082 308 4764	<i>[Signature]</i>
BLANCKENBERG	DS	MR	5610215121089	083 349 3366	<i>[Signature]</i>
BOLANI	LE	MR	7109035443086	0822534499	<i>Absent</i>
BUCKLE	AML	MR	5311095011082	083 460 8060	<i>[Signature]</i>
DEKISO	ZK	MR	5505295280088	072 076 7042	<i>[Signature]</i>
CHABAAN	BJ	MR	6002235727088	082 444 2333	<i>[Signature]</i>
COMBRINK	GC	MR	5801105056085	082 455 3445	<i>[Signature]</i>
CUPIDO	FP	MR	6609295224085	072 697 5802	<i>[Signature]</i>
CUPIDO	PBA	MS	6007280196089	076 446 7741	<i>[Signature]</i>
DARIES	LN	MS	4511080038088	082 497 8576	<i>[Signature]</i>
DAVIDS	CO	MS	7202010717085	073 7032 975	<i>[Signature]</i>
DE GOEDE	HR	MR	4306155063081	082 436 9830	<i>[Signature]</i>
DE WET	J	MS	7401030263084	079 067 4625	<i>[Signature]</i>
DUBA	PB	MS	7207170506087	073 967 9629	<i>[Signature]</i>
J TOIT	LM	DR	4807135024085	082 657 4777	<i>[Signature]</i>
KIKA-DYSON	SN	MS	5102240150085	083 737 5179	<i>Absent</i>
GOUWS	E	MS	5510160068089	082 447 9711	<i>[Signature]</i>
GWADA	ZL	MR	7503205395086	083 623 6080	<i>[Signature]</i>
HLATI	V	MR	6512257169084	078 276 7452	<i>[Signature]</i>
JACOBS	AN	MR	6810315245080	081 262 7339	<i>[Signature]</i>
JULIUS	EA	MS	7201300133086	072 728 5238	<i>[Signature]</i>
KEARNS	C	MS	7109290101080	076 501 8441	<i>[Signature]</i>
KEARNS	EM	MS	5406090000089	072 572 2349	<i>[Signature]</i>
KEM	Z	MR	800761300083	078 133 9063	<i>[Signature]</i>
KOEGELENBERG	RA	MR	705114083	083 269 3138	<i>[Signature]</i>
KOTZE	DA	MR	8007195117084	083 713 7873	<i>[Signature]</i>
LE ROUX	JFC/ir	MR	5710135020088	083 459 5965	<i>[Signature]</i>

*[Handwritten Stamp]*  
Office of the / Kantoor van die  
DA CHIEFWHIP / HOOFD SWEEP  
RA. KOEGELENBERG  
Drakenstein

**DRAKENSTEIN MUNICIPALITY  
ATTENDANCE REGISTER: COUNCIL MEETING  
28 APRIL 2016**

SURNAME	INITIALS	TITLE	ID NUMBER	CELL NO	SIGNATURE
MANGENA	TC	MR	5608105328087	072 593 7804	
MAPUMA	M	MR	8602145870080	082 508 5590	
MATTHEE	J	MR	5803165092083	082 448 6180	
MCHELM	JC	MR	7206155070085	076 817 2524	
MSOLO	MC	MR	6102235237086	078 442 0689	Absent.
MTIKI	N	MS	7302240102080	072 7096 552	M. Mtiki
NAUDE	WJ	MR	5406245175082	072 707 0661	Present forgot to sign
NIEHAUS	LW	MR	6904165003085	084 421 6780	
NOMANA	TZ	MS	7212281201081	079 0639 041	
NTLEMEZA	LE	MS	6505300584085	072 888 9326	
PHILANDER	WF	MS	7605280201087	076 528 1211	
POOLE	CJ	MR	6702125697081	082 497 9046	
RADEMEYER	JG	MR	4808135012088	082 925 8149	
RENS	SC	MR	7207285259085	079 558 0013	
ROSS	S	MS	7410260172089	082 448 0409 074 549 9921	
SMIT	WE	MS	5112160032080	082 825 1550	
SMIT	J	MR	5204165154082	0817354467	
SMITH	MDJ	DR	4603275052089	083 661 8363	
SMUTS	R	MR	6008235058085	082 494 8467	Smuts
SOMGQEZA	TE	MS	5201230685082	084 674 3480	
STOWMAN	AC	MR	6112055233081	079 189 5359	
TSHAYA	MA	MR	6310095897085	073 686 8894	
VD WESTHUIZEN	CC	MR	6610165166083	084 998 7841	
VAN DEVENTER	GMM	MS	5809240058080	082 570 5681	
VAN NIEUWENHUYZEN	RH	MR	6709175004084	082 629 6239	
VON SCHLICHT	H	DR	5507150002086	072 949 5922	
WILLIAMS	DC	MR	6105070214088	0833464768	
WITBOOI	GJ	MR	6608370038083	0832324168	

Office of the / Kantoor van die  
CHIEFWHIP / HOOFD SWEEP  
Clk / Rd R.A. KOEGELBERG  
Drakenstein