

DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON WEDNESDAY, 28 FEBRUARY 2018 AT 14:00.

PRESENT: Councillors (see attendance register)

Senior Officials:	Dr J H Leibbrandt	(City Manager)
	Mr S Johaar	(Executive Director: Corporate Services)
	Mr J Carstens	(Chief Financial Officer)
	Mr D Hattingh	(Executive Director: Engineering Services)
	Mr G Boshoff	(Executive Director Community Service)
	Ms R Jaftha	(Chief Audit Executive)
	Mr D Delaney	(Senior Manager: Planning Services)
	Mr A V Marais	(Senior Manager: Legal and Administration)
	Ms R Geldenhuys	(Manager Communications and Marketing)
	Mr G Dippenaar	(Chief Risk Officer)
	Mr F P Goosen	(Manager: Administrative Support Services)

ABSENT: Councillors (see attendance register)

Senior Officials:	Ms L Waring	(Executive Director: Planning and Development (on council duty))
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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 of absence were approved in terms of the Rules of Order of Council:

- 1) NN George : apology;
- 2) TC Mangena : apology;
- 3) HJN Matthee : apology; and
- 4) M Vika : apology.

2. CONFIRMATION OF MINUTES

BEKRAGTIGING VAN NOTULE

UKUQINISEKISWA KWEMIZUZU

The minutes of the Municipal Council held on 31 January 2018 was confirmed as correct.

(ICOSA indicated that they do not accept the minutes of item 7.14 since they were of the view that irregularities occurred in that matter.)

2.1 IMPLEMENTATION OF COUNCIL DECISIONS

IMPLEMENTERING VAN RAADSBSLUIE

UKUMISELWA KWEZIGQIBO ZEBHUNGA

Noted.

3. MINUTES: MAYORAL COMMITTEE

NOTULE: BURGEMEESTERSKOMITEE

IMIZUZU: IKOMITI KASODOLOPHU

The minutes of the following meetings of the Mayoral Committee were **noted**:-

- (i) Ordinary meeting held on 24 January 2018;
- (ii) Confidential meeting held on 24 January 2018;
- (iii) Ordinary meeting held on 30 January 2018; and
- (iv) Confidential meeting held on 30 January 2018.

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

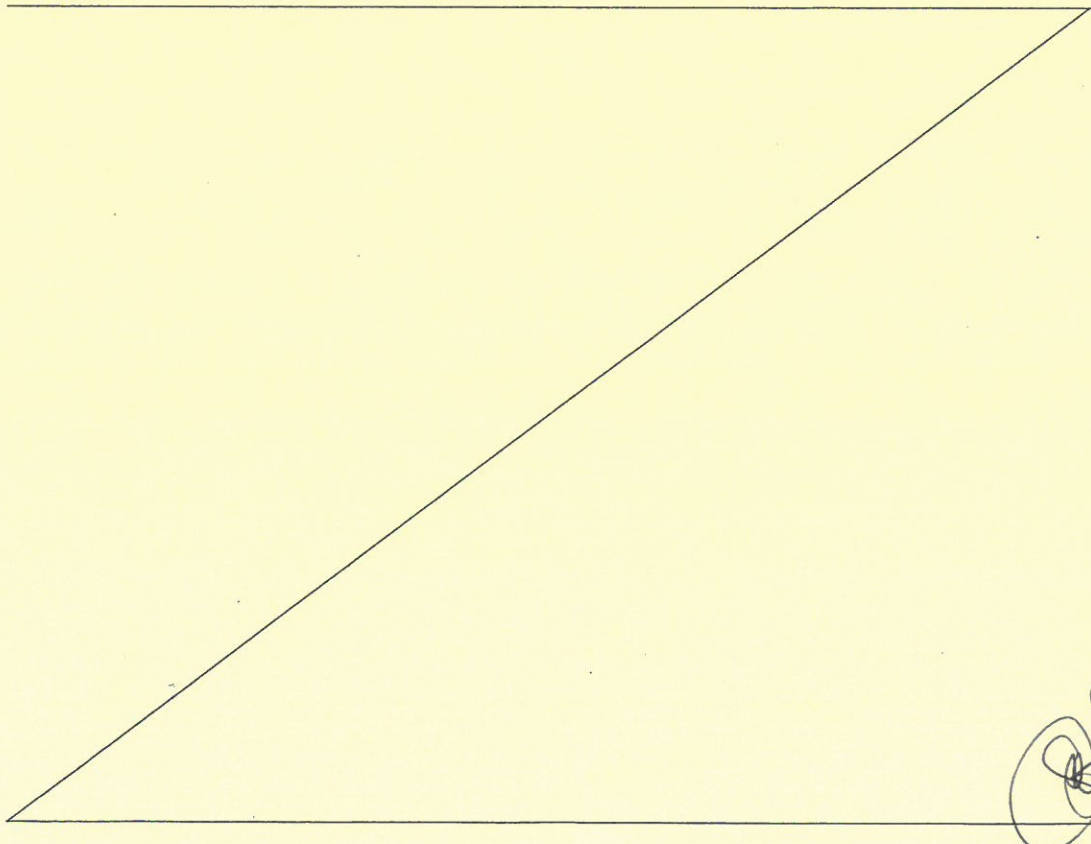
The Executive Mayor:-

1. Congratulated the municipality on the 4th clean audit received. A trophy was presented by the AG; and
2. Delivered the enclosed media statement on the waste to energy project. A final report on this matter will be submitted to Council at the March council meeting.

The Deputy Executive Mayor:-

1. Requested councillors who did not return the outstanding SASRIA forms for insurance purposes, to do so promptly.

(The ANC requested that a copy of the announcements of Executive Mayor in future be made available prior to the meeting.)



Speaker, Councilors, ladies and gentleman.

Since my taking of office as executive mayor in August 2016, I have made it my responsibility to address the important matter of the WTE process which I inherited as a process that started in 2007.

In all my engagements with the public and the Drakenstein senior official, and in this council I have always stated that should the present leadership team not be placed in a position to tick all the important boxes to take the WTE process forward, that we will not support any further processes and not commit any Drakenstein funding thereto.

Whilst I have been advised that a WTE (Waste to Energy) option, based on modern developed and tested technology remains the best long term solution for Drakenstein's waste problem, the process that was followed to date have been questioned by stakeholders.

In my opinion, this affords Drakenstein whilst acknowledging the limited airspace available on the Wellington landfill site, the opportunity to reconsider all the available options for the future.

It is at this point in time very important that we reconsider all available options.

Against the background the report that was due today is deferred to the end of March. This will allow the drafting of a report which will include the strategic approach to this very important issue.

This should be done in the context of the role and responsibility of the National and Provincial Government on the management of solid waste.

This report should spell out the roadmap for the months to come including but not limited to the following:

1. Concentrated operational interventions to extend the lifespan of the landfill site;
2. Further actions to optimize diversion of waste to landfill site;
3. A full specialist report on other available landfill options to receive Drakenstein waste and the cost thereof for Drakenstein residents to enable me to assess the financial feasibility thereof;
4. The availability of external grant funding to re-activate the WTE option with national treasury guided impeccable processes.

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

The Speaker made the following announcements:-

1. Thanked councillors who attended the laptop handover and training session. Stationary packs were also issued to ward councillors at the training session. Remaining stationary packs must be collected from the office of the Speaker;
2. Councillors experiencing problems with their laptops or did not attend the training session, need to report such issues to his office;
3. Ward councillors must finalise and submit outstanding ward projects by 9 March 2018;
4. Memory sticks should be returned to Administration; and
5. Congratulated councillors who celebrated birthdays during February.

5.1 DISCLOSURE OF INTERESTS BY COUNCILLORS / OFFICIALS
VERKLARING VAN BELANGE DEUR RAADSLEDE / AMPTENARE
UKUBHENGEZA KOMDLA NGOCEBA/ AMAGOSA

None.

6. STATUTORY MATTERS
STATUTÊRE SAKE
IMIBA YOMTHETO

None.

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7.	CONSIDERATION OF REPORTS BY THE MAYORAL COMMITTEE
	OORWEGING VAN VERSLAE DEUR DIE BURGEMEESTERSKOMITTEE
	UKUQWALASELWA KWEENGXELO YIKOMITI KASODOLOPHU WESIGQEBA

7.1	APPROVAL OF THE 2017/2018 OPERATING AND CAPITAL ADJUSTMENTS BUDGET
	GOEDKEURING VAN 2017/2018 BEDRYFS-EN KAPITAALAANPASSINGSBEGROTING
	UKWAMKELWA KOLUNGISO LOHLAHLLO LWABIWO MALI LOKUSEBENZA KUNYE NELENKUNZI LIKA 2017/2018

The ANC requested that reports that require preparation by councillors, be made available well in advance.

UNANIMOUSLY RESOLVED that

1. the total operating revenue of R2,220,621,152 (capital grants included) approved by Council in January 2018 be decreased with R66,333,461 (3.0%) to R2,154,287,691 for the 2017/2018 financial year as set out in Table 1 of the 2017/2018 Adjustments Budget Report;
2. the operating expenditure of R2,183,014,374 approved by Council in January 2018 be decreased with R11,411,888 (0.5%) to R2,171,602,486 for the 2017/2018 financial year as set out in Table 4 of the 2017/2018 Adjustments Budget Report;
3. the capital budget expenditure of R832,635,300 approved by Council in January 2018 (roll-over capital budget expenditure included) be decreased with R43,766,219 (5.26%) to R788,869,081 for the 2017/2018 financial year as set out in Table 8 of the 2017/2018 Adjustments Budget Report;
4. the capital expenditure of R788,869,081 be funded by the following revenue sources as set out in Table 10 of the 2017/2018 Adjustments Budget Report:-
 - 4.1 Capital Replacement Reserve (R74,903,038);
 - 4.2 Capital Replacement Reserve roll-overs (R6,312,238);
 - 4.3 Secured grants to be received from National Government, Provincial Government and other donors (R109,520,061);
 - 4.4 Secured grant roll-overs received from National Government, Provincial Government and other donors (R937,305);
 - 4.5 External loans to be taken up with authorised financial institutions (R471,159,625); and
 - 4.6 Unspent external loans roll-overs already taken up in June 2017 (R125,974,119).

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5. council takes note that after taking non-cash provisions, depreciation, redemption on external loans, expensed housing inventory and capital grants into consideration, an operating cash surplus of R544,616 materialise when compared with the operating budgeted deficit of R17,314,795 as set out in Table 7 of the 2017/2018 Adjustments Budget Report;
6. council taken note that no taxes and tariffs are affected with the approval of this adjustments budget;
7. schedule B1 to B10 attached as Annexure D to the 2017/2018 Adjustments Budget Report be approved by Council; and
8. the over-riding of expenditure that will constitute unauthorised expenditure will not be allowed by the City Manager or Chief Financial Officer. If there are sufficient funds available, the virements process have to be followed in terms of Council's Virement Policy.

Meeting: Finance Portfolio Committee-28/02/2018	Submitted by Directorate: Financial Services
Ref No: 5/1	Author/s: K Fredericks
Coll Nr:	Referred from: EM-28/02/2017
<u>PAR:</u> 1-8	<u>ACTION:</u> Implement decision
	<u>RESPONSIBLE DEPT:</u> Chief Financial Officer
	<u>DUE DATE:</u>

**7.2 REPORT AND RECOMMENDATIONS TO COUNCIL FROM THE AUDIT COMMITTEE:
QUARTERLY MEETING HELD ON 12 DECEMBER 2017**

**VERSLAG EN AANBEVELINGS AAN DIE RAAD VAN DIE OUDITKOMITEE:
KWARTAALLIKSE VERGADERING VAN 12 DESEMBER 2017**

**INGXELO KUNYE NEZIPHAKAMISO KWI BHUNGA EVELA KWIKOMITHI YOPHICHOTO
YEKOTA EYAYIBANJIWE NGOMHLA WE 12 DISEMBA 2017**

A representative of the Audit Committee, Mr B Sewell, attended the meeting for this item.

The ANC raised the following concerns:-

1. Vacancies in the Cash Office should not be presented as an excuse since temporary staff perform such duties;
2. The failure of the Municipality to provide the Audit Committee with information requested (cash management) puts the clean audit in question;
3. The deteriorating debtor balance and high amount linked to deviations needs attention;

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The ANC also requested that the following should receive attention:-

4. That assistance be given to indigent households who cannot afford to repair water leaks; and
5. The historical issue with Saron water accounts be resolved.

UNANIMOUSLY RESOLVED that**1. Internal Audit**

- 1.1 The organizational structure of Internal Audit remains adequate and independent;
- 1.2 Internal Audit reports submitted to the Audit Committee were noted and the Internal Audit reports for the quarter under review were completed as planned;
- 1.3 The quarterly assessment of performance information was carried out by Internal Audit. The completeness and accuracy of the Portfolios of Evidence continues to improve towards consistent achievement of clearly defined organizational and individual performance outcomes; and
- 1.4 Management is again advised to act timeously on the recommendations made by Internal Audit in their reports.

2. Risk Management

Risk management continues to be the focus of the Strategic Management Team.

3. General

- 3.1 The monitoring of water consumption by indigent users require urgent attention especially in light of the drought conditions;
- 3.2 The conflict of accountability regarding outstanding municipal accounts in the Saron/ Gouda area requires resolution and is being addressed by Management; and

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- 3.3 The vacancies in the Cash office have been raised as a concern and the Audit Committee has been assured by Management that they are dealing with the matter. Progress will be monitored by the Audit Committee.

Meeting: Council – 28/02/2018 Ref No: 3/3/1/3/9/1 Coll Nr: 1273495	Submitted by Directorate: Internal Audit Author/s: R Jaftha Referred from: MC - 21/02/2018		
<u>PAR:</u> 1-3	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Internal Audit	<u>DUE DATE:</u>

7.3 REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2017-2018
HERSIENE TOPVLAK DIENSLEWERING EN BEGROTINGS IMPLEMENTERINGSPLAN 2017-2018
UHLOLWA LOMALEKO OPHEZULU WOBONELELO LWENKONZO KUNYE NOYILO LOLUMILISELWA KOHLAHO LWABIWO MALI LIKA 2017-2018

UNANIMOUSLY RESOLVED that

1. the Revised Top Layer (TL) SDBIP 2017/2018 be approved;
2. the Revised TL SDBIP 2017/2018 be published on the municipal website; and
3. the Revised TL SDBIP 2017/2018 be submitted to:-
 - 3.1 Internal Audit Unit (for notification);
 - 3.2 Department of Local Government: Western Cape;
 - 3.3 Provincial Treasury: Western Cape;
 - 3.4 Auditor General (AG) of South Africa; and
 - 3.5 National Treasury.

Meeting: Council – 28/02/2018 Ref No: 2/2/8 Coll Nr: 1279210	Submitted by Directorate: IDP and Performance Management Author/s: F Qebanya Referred from: MC – 21/02/2018 ; 28/02/2018		
<u>PAR:</u> 1-3	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> IDP and Performance Management	<u>DUE DATE:</u>

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7.4	VLAKKELAND HOUSING PROJECT: PROPOSED LAND AVAILABILITY AGREEMENT
	VLAKKELAND BEHUISINGSPROJEK: VOORGESTELDE GRONDBESKIKBAARHEID OORENKOMS
	IPROJEKTI YEZINDLU E VLAKKELAND: ISINDULULO SESIVUMELWANO SOKUFUMANA UMHLABA

Several questions were raised, dealing with illegal families living on Vlakkeland land and access to the Vlakkeland beneficiary list. The Executive Mayor responded by confirming that the consultant will attend to illegal families and that the beneficiary list is available for inspection.

UNANIMOUSLY RESOLVED that

1. the draft Land Availability Agreement (Annexure A attached to the departmental report) be accepted; and
2. the City Manager be authorized to finalise and sign the agreement on behalf of Council.

Meeting: Council – 28/02/2018	Submitted by Directorate: Planning and Development		
Ref No: 17/5/1/1	Author/s: F Rhoda		
Coll Nr: 1275677	Referred from: MC – 21/02/2018		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1-2	Implement decision	ED: Planning and Development	

7.5	RENEWAL OF LEASE AGREEMENT- WAMAKERSVALLEI TRAINING CENTRE: ERVEN 2014 AND 12682, BREEDT STREET, WELLINGTON
	HERNUWING VAN HUUROORENKOMS - WAMAKERSVALLEI OPLEIDINGSENTRUM: ERWE 2014 EN 12682, BREEDTSTRAAT, WELLINGTON
	UKUHLAZIWA KWESIVUMELWANO SOKUQESHISA – WAMAKERSVALLEI TRAINING CENTRE: IZIZA 2014 KUNYE NE 12682, BREEDT STREET, E WELLINGTON

UNANIMOUSLY RESOLVED that

1. in terms of Section 34 of the Municipal Asset Transfer Regulations, **final approval** be granted for the renewal of the lease of erven 2014 and 12682, Wellington, measuring ± 1014m² and 344m² respectively, to the Wamakersvallei Training Centre, subject to the standard lease conditions as well as the following further conditions:-
 - 1.1 The property will be leased at a subsidized rental of R876.48 per month (VAT excluded and 8 % escalation included);
 - 1.2 The lease will endure for a period of 3 years, after which the renewal thereof will be reviewed by Council;
 - 1.3 All existing conditions of lease will remain applicable; and

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2. the property not be put out on tender since the Wamakersvallei Training Centre provides an important and affordable training opportunities for the community of Drakenstein, and therefore it would not be in the interest of the community to terminate such service.

Meeting: Ref No: Coll Nr:	Council – 28/02/2018 15/4/1 (2014)W 1270892	Submitted by Directorate: Author/s: Referred from:	Corporate Services N Williams MC – 21/02/2018
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-2	Implement decision	ED: Corporate Services	

7.6 LEASE OF MUNICIPAL PROPERTY - PORTION 2 OF THE FARM NO 936, PAARL (SIMONDIUM) TO THE SIMONDIUM RURAL DEVELOPMENT FORUM
VERHURING VAN MUNISIPALE EIENDOM - GEDEELTE 2 VAN DIE PLAAS NR 936, PAARL (SIMONDIUM) AAN DIE SIMONDIUM LANDELIKE ONTWIKKELINGSFORUM
UKUQESHWA KWEPROPATI KAMASIPALA – ICEBA 2 LEFAMA NOMBHOLO 936, E PAARL (SIMONDIUM) KWI SIMONDIUM RURAL DEVELOPMENT FORUM

The ANC emphasized the importance that the use of municipal buildings by tenants be monitored regularly.

UNANIMOUSLY RESOLVED that

1. in terms of Section 34 of the Municipal Asset Transfer Regulations, *final approval* be granted for the lease of the municipal building on Portion 2 of the Farm No 936, Paarl to the Simondium Rural Development Forum, subject to the standard lease conditions as well as the following further conditions:-
 - 1.1 The property will be leased at a monthly subsidized rental of R112.50 (VAT excl.);
 - 1.2 The lease will endure for a period of 1 year, after which the renewal thereof will be reviewed by Council; and
 - 1.3 All existing lease conditions remain applicable.
2. the property not be put out on tender since the Simondium Rural Development Forum provides an essential community support service within the Simondium area and therefore it would not be in the interest of the community to terminate such service.

Meeting: Ref No: Coll Nr:	Council – 28/02/2018 15/4/1 F (936) P 1270865	Submitted by Directorate: Author/s: Referred from:	Corporate Services N Williams MC – 21/02/2018
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-2	Implement decision	ED: Corporate Services	

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7.7 LEASE OF MUNICIPAL PROPERTY TO NS 64 BUSINESS ENTERPRISES - ROOM C, PORTION OF ERF 2689, MATHAKATHA STREET, MBEKWENI
HUUR VAN MUNISIPALE EIENDOM AAN NS 64 BUSINESS ENTERPRISES KAMER C GEDEELTE VAN ERF 2689, MATHAKATHASTRAAT, MBEKWENI
UKUQESHWA KWEPROPATI KAMASIPALA KWI NS 64 BUSINESS ENTERPRISES – IGUMBI C, ICEBA LESIZA 2689, MATHAKATHA STREET, MBEKWENI

The ANC requested that the criteria used to recommend this tenant, be made available to the party.

UNANIMOUSLY RESOLVED that

1. in terms of Regulation 34 of the Municipal Asset Transfer Regulations, *final approval* be granted for the lease of Room C, situated on a portion of Erf 2689, Mbekweni (±16m²) to NS 64 Business Enterprises, subject to the normal lease conditions as well as the following further conditions:-
 - 1.1 The property be leased at 20 % of the market value which is R80.00 per month (VAT excluded);
 - 1.2 The lease endures for a period of one (1) year, after which renewal thereof might be considered by Council;
 - 1.3 All administrative and legal requirements be adhered to;
 - 1.4 The lessee be responsible for payment of all municipal services; and
 - 1.5 The subject property only be used for business purposes and for no other purpose.

Meeting: Council – 28/02/2018	Submitted by Directorate: Corporate Services
Ref No: 15/4/1 (2689)M	Author/s: N Williams
Coll Nr: 1270850	Referred from: MC – 21/02/2018
<u>PAR:</u>	<u>ACTION:</u> Implement decision
	<u>RESPONSIBLE DEPT:</u> ED: Corporate Services
	<u>DUE DATE:</u>

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7.8	LEASE OF MUNICIPAL PROPERTY TO PAARL TRAILER HIRE - PORTION OF ERF 4916, OOSBOSCH STREET, PAARL
	HUUR VAN MUNISIPALE EIENDOM AAN PAARL TRAILER HIRE – GEDEELTE VAN ERF 4916, OOSBOSCHSTRAAT, PAARL
	UKUQESHISWA KWEPROPATI KAMASIPALA KWI PAARL TRAILER HIRE – ICEBA LESIZA 4916, OOSBOSCH STREET E PAARL

ANC requested that it be verified whether the current use of the site is in keeping with the approval granted.

UNANIMOUSLY RESOLVED that

1. in terms of Regulation 34 of the Municipal Asset Transfer Regulations, *final approval* be granted for the lease of Erf 4916, Paarl approximately 1 640m² in extent to Paarl Trailer Hire, subject to the standard lease conditions as well as the following further conditions:-
 - 1.1 The property be leased at a market rental of R3 706.56 per month (VAT excluded and 8% annual escalation included) as determined by independent valuation;
 - 1.2 The lease endures for a period of two (2) years,
 - 1.3 The lease will be subject to all requirements as indicated by the Civil Engineering and Electrical Divisions;
 - 1.4 No permanent structures will be allowed, with the exclusion of a boundary fence;
 - 1.5 The subject property only be used for business purposes;
 - 1.6 The applicant be responsible for payment of all municipal services and connection fees (if available);
 - 1.7 All administrative and legal requirements be adhered to;
 - 1.8 No construction of structures will be allowed over the municipal sewer on the northern boundary of Erf 4916, Paarl;
 - 1.9 The installation of water and sewerage connections is subject to building plan submission and approval;
 - 1.10 Access will only be provided from the North West corner of the property; and

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- 1.11 The applicant takes note of the fact that the southern portion of the land is subject to road widening of Oosbosch Street and will in future be required for such purposes in which case no compensation will be payable for improvements on the land.
2. the property not be put out to tender at this stage since a portion thereof is required for future road widening and the lease thereof is therefore of a temporary nature and is advertised for objections. Once the road widening has been concluded, the possible calling for tenders in respect of the sale of the remainder of the land can be considered at that stage.
3. the objectors be informed of the reasons for the decision as set out in par 5.4 of the departmental report.

Meeting: Council – 28/02/2018		Submitted by Directorate: Corporate Services	
Ref No: 15/4/1 (4916) P		Author/s: N Williams	
Coll Nr: 1271002		Referred from: MC – 21/02/2018	
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1-3	Implement decision	ED: Corporate Services	

7.9	PROPOSED RENEWAL OF LEASE OF THE BOWLING CLUB FACILITIES SITUATED ON A PORTION OF ERF 31005 FAURE STREET, PAARL TO THE PAARL BOWLING CLUB
	VOORGESTELDE HERNUWING VAN DIE VERHURING VAN DIE ROLBALKLUB FASILITEITE GELEË OP 'N GEDEELTE VAN ERF 31005, FAURESTRAAT, PAARL AAN DIE PAARL ROLBALKLUB
	ISINDULULO SOKUHLAZIWA KOKUQESHISWA KWENDAWO YE BOWLING CLUB EKWICEBA LESIZA 31005 FAURE STREET E PAARL KWI PAARL BOWLING CLUB

It was requested that the term of the previous lease be stated in the final report.

UNANIMOUSLY RESOLVED that

1. in terms of regulation 34 of the Municipal Asset Transfer Regulations, ***in principle approval*** be granted for the renewal of the lease agreement with the Paarl Bowling Club in respect of the clubhouse and bowling courts situated on a portion of erf 31005 Paarl, subject to the standard lease conditions as well as the following further conditions:-
- 1.1 The property will be leased at a subsidized rental to be determined by an independent valuer;
- 1.2 The lease will endure for a period of 3 years, after which the renewal thereof will be reviewed by Council;
- 1.3 The applicant be responsible for the payment of all municipal services and the relevant deposits payable;

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- 1.4 The Drakenstein Municipality to insure the immovable property and the Club insures the movable assets;
- 1.5 All administrative and legal requirements be adhered to; and
- 1.6 The lease be advertised in the local press for objections and counter offers by other interested parties and that all abutting landowners be notified of the proposed lease; and
2. the property not be put out on tender since it has been earmarked as a sport facility for use as a bowling club facility. The proposal will however be duly advertised for public comment/counter offers.

Meeting: Council – 28/02/2018	Submitted by Directorate: Corporate Services		
Ref No: 15/4/1 (31005)P	Author/s: N Williams		
Coll Nr: 1253339	Referred from: MC – 21/02/2018		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-2	Implement decision	ED:Corporate Services	

7.10 PROPOSED ALIENATION OF ERVEN 7527 – 7530 AND 7541 – 7543, GABBEMA DOORDRIFT AND COSTERTON AVENUES, COURTRAI, PAARL FOR RESIDENTIAL DEVELOPMENT PURPOSES
VOORGESTELDE VERVREEMDING VAN ERWE 7527 – 7530 EN 7541 – 7543, GABBEMA DOORDRIFT EN COSTERTON RYLAAN, COURTRAI, PAARL VIR RESIDENSIËLE ONTWIKKELINGSDOELEINDES
ISINDULULO SOKUPHEPHELA KWISIZA 7527 – 7530 KUNYE NE 7541 – 7543 E GABBEMA DOORDRIFT KUNYE NE COSTERTON AVENUES, COURTRAI E PAARL KUSENZELWA UPHUHLISO LOKUHLALA ABANTU

UNANIMOUSLY RESOLVED that

1. in terms of Section 14 of the Municipal Finance Management Act approval in principle be granted for the alienation of Erven 7271 – 7530 and Erven 7541 - 7543, Courtrai, Paarl, together as a package, at a market related reserve selling price to be determined by an independent valuer, via a public auction process, subject to the normal conditions of sale as well as the following further conditions:-
- 1.1 The property only be used for low density residential purposes with one residential dwelling unit per individual erf as indicated on General Plan No 1041LD Courtrai Township Extension No. 2 and the Drakenstein Municipal Spatial Development Framework;

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- 1.2 The purchaser must undertake and will be responsible for all development costs e.g closure, survey, rezoning of the property from reservation of land "public open space" to "single dwelling residential", advertisement, relocation of services, required studies (if applicable) and any other costs related to the development and the obtaining of all required statutory approvals for the proposed development;
 - 1.3 Any relocation or upgrading of existing services or installation of new services will be undertaken by and at the cost of the purchaser and must be done in consultation with the Department: Engineering Services;
 - 1.4 The development of the subject property must adhere to the time frames set out in the auction specifications;
 - 1.5 All costs related to the transfer of the property will be for the purchaser's account;
 - 1.6 A reversionary clause shall be applicable to the subject properties should the purchaser fail to develop the properties as per the conditions as set out in the auction conditions or should the purchaser intend to sell the undeveloped land or a portion thereof or intend to use the properties for any other purpose other than specified in the transaction conditions;
 - 1.7 Suspensive conditions shall be applicable with respect to the approval of land use rights and approvals in terms of applicable legislation and the municipality may add additional suspensive conditions in respect of any other matter it deems appropriate;
 - 1.8 The transaction be subject to all conditions as specified in the auction conditions and additional requirements as determined by the technical departments; and
 - 1.9 The purchaser must obtain the required consent (permit) from the Department of Agriculture, Forestry and Fisheries in order for the Podocarpus (geelhoutbome) trees to be taken down or pruned for more than 25%. The consent may be obtained upon submission of an application with motivation to the said department, whom will issue a consent by way of a permit upon favourable consideration of the application.
2. the proposed transaction be advertised for objections prior to the auction process; and

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3. erven 7532 and 7531 Paarl be retained by the municipality and continued to be used as a public open space.

Meeting: Council 28/02/2018	Submitted by Directorate: Corporate Services		
Ref No: 15/4/1 (15964) P	Author/s: N October		
Coll Nr: 1258683	Referred from: EM-21/02/2018		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1-3	Implement decision	ED: Corporate Services	

7.11 PROPOSED ALIENATION OF A PORTION OF ERF 15964 PAARL SITUATED IN PAULUS STREET, TO THE REFORMED OLD APOSTOLIC CHURCH
VOORGESTELDE VERVREEMDING VAN 'N GEDEELTE VAN ERF 15964 PAARL GELEË TE PAULUSSTRAAT AAN DIE GEREFORMEERDE OU APOSTOLIESE KERK
ISINDULULO SOKUPHEPHELA KWECEBA LESIZA 15964 E PAARL ELISE PAULUS STREET KWI REFORMED OLD APOSTOLIC CHURCH

UNANIMOUSLY RESOLVED that

1. in terms of Section 14 of the MFMA Council resolves:-
 - 1.1 The subject properties (to be alienated) are not needed to provide the minimum level of basic municipal services; and
 - 1.2 The fair market value of the assets and the economic and community value to be received in exchange for the asset has been considered;
2. in terms of Section 14 of the Municipal Finance Management Act ***final approval*** be granted for the alienation of a portion of Erf 15964, Paarl, measuring approximately 636 square metres in extent, situated in Paulus Street, to the Reformed Old Apostolic Church, subject to the standard conditions of sale and the following further conditions:-
 - 2.1 The subject property be sold and be consolidated the with the church's existing property, namely Erf 13116 Paarl. This consolidation must be registered simultaneously with the registration of transfer of the subject property;
 - 2.2 The property be sold at 10% of market value (R100 000.00), which amounts to R10 000.00 (VAT excl.);
 - 2.3 The applicant will 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;
 - 2.4 All costs related to the transfer and development of the properties will be for the account of the applicant;

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- 2.5 Should it be required, the relocation or protection of any municipal services must be done in consultation with the Department Engineering Services, at the applicant's account;
- 2.6 All municipal services on the subject property must remain accessible to the Municipality at all times. This must be registered as a condition of title;
- 2.7 No structures will be allowed within 3 metres of any municipal services; and
- 2.8 Any damage caused to municipal services will be repaired at the cost of the applicant.
3. 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 property or a portion thereof.
4. the applicant be required to:-
- 4.1 Commence with the lodging of applications for development rights, if applicable, and building plans within three (3) months from signing the deed of sale;
- 4.2 Obtain development rights and approval of building plans within 18 months from signing of deed of sale or such extended period as agreed upon between the applicant and Municipality. This condition will be a suspensive condition to the proposed sale; and
- 4.3 The proposed transaction be registered within 6 months of obtaining the required land use rights and confirmation of the fulfilment of all suspensive conditions.
5. the subject property not be sold via public tender process due to the fact that the property will be utilized for the extension of the existing property.

Meeting: Council 28/02/2018		Submitted by Directorate: Corporate Services	
Ref No: 15/4/1 (15964) P		Author/s: N October	
Coll Nr: 1258683		Referred from: EM-21/02/2018	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1-5	Implement decision	ED: Corporate Services	

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7.12 REVIEW OF RECORDS MANAGEMENT POLICY**HERSIENING VAN REKORDBESTUURBELEID****UHLOLO KWAKHONA KOMGAQO NKQUBO WOKULAWULA KOSHICILELO (REKHODI)****UNANIMOUSLY RESOLVED that**

the Records Management Policy be approved.

Meeting: Council 28/02/2018	Submitted by Directorate: Corporate Services
Ref No: 2/5/P	Author/s: FP Goosen
Coll Nr: 1271436	Referred from: EM-21/02/2018.
PAR:	ACTION: Implement decision
	RESPONSIBLE DEPT: ED: Corporate Services
	DUE DATE:

7.13 MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 71 MONTHLY BUDGET MONITORING REPORT FOR JANUARY 2018**MUNISIPALE FINANSIËLE BESTUURSWET: ARTIKEL 71 MAANDELIKSE BEGROTING VERSLAGDOENING VIR JANUARIE 2018****UMTHETHO WOKULAWULWA KWEMALI ZIKAMASIPALA: ICANDELO 71 NGENYANGA INGXELO YOKONGAMELA KOHLAHLA LWABIWO MALI YENYANGA KA JANUWARI 2018****UNANIMOUSLY RESOLVED that**

1. it be noted that the variance between the actual operating revenue (R1,440,214,700) and the pro rata budgeted operating revenue (R1,411,691,555) has a positive variance of R28,523,145 or 2.02%;
2. it be noted that the variance between the actual operating expenditure (R1,131,873,414) and the pro rata budgeted operating expenditure (R1,183,374,713) has a positive variance of R51,501,299 or 4.35%;
3. it be noted that the actual capital expenditure of R317,912,068 and the pro rata budgeted capital expenditure of R336,233,651 realised under spending of R18,321,582 or 5.45%;
4. it be noted that the actual capital expenditure of R317,912,068 represents 38.18% of the total capital budget of R832,635,300 after seven months of the financial year;
5. it be noted that the actual and committed capital expenditure of R585,625,139 compared with the capital expenditure budget of R832,635,300 represent a spending percentage of 70.33% after seven months of the financial year;

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6. it be noted that external borrowings amounted to R1,197,072,897 as at 31 January 2018 and that it represents 56.80% of Drakenstein's total budgeted operating revenue of R2,107,427,847 for the 2017/2018 financial year;
7. it be noted that unspent conditional and unconditional grants amounted to R37,382,209 at the end of January 2018;
8. it be noted that the actual employee related cost expenditure of R302,822,244 compared with the pro rata budgeted expenditure of R308,530,925 relates to a positive variance of R5,708,680 or 1.85%;
9. it be noted that total outstanding debtors as at 31 January 2018 amounted to R315,457,946 and that 30 days and older debt constitutes 62.6% of total outstanding debtors;
10. it be noted that domestic consumers owe the municipality R215,764,766 or 68.4% of the municipality's total debtor's book;
11. it be noted that outstanding creditors amounted to R0 as at 31 January 2018;
12. it be noted that the primary bank account had a positive bank balance at 31 January 2018 which amounted to R32,704,265; and
13. it be noted that total investments in cash and shares amounted to R135,720,692 as at 31 January 2018 at the five local banks and Eskom.

Meeting: Council 28/02/2018		Submitted by Directorate: Financial Services	
Ref No: 9/1/1/4		Author/s: A Viola	
Coll Nr: 1284384		Referred from: EM-21/02/2018	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

7.14 SUPPLY CHAIN MANAGEMENT: NOTIFICATION OF MONTHLY TENDER AWARDS: JANUARY 2018
VOORSIENINGSKANAALBESTUUR: TENDERTOEKENNINGS VIR JANUARIE 2018
ULAWULO LOTHUNGELWANO LWEZIBONELELO: ISAZISO SONIKEZELO LWETHENDA: JANUWARI 2018

UNANIMOUSLY RESOLVED that

1. the tenders and contracts above R200, 000 that were adjudicated by the Bid Adjudication Committee for the month of January 2018, **be noted**; and



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2. 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 28/02/2018 Ref No: 8/1/2/1 x 9/1/1/5 Coll Nr: 1277572 x 1279719		Submitted by Directorate: Financial Services Author/s: H Vergontine Referred from: EM - 21/02/2018	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

7.15 REPORT ON DEVIATIONS AND RATIFICATION OF MINOR BREACHES FROM PROCUREMENT PROCESSES: JANUARY 2018
VERSLAG VAN AFWYKINGS EN RATIFIKASIE VAN GERINGE OORTREDINGE VAN VERKRYGINGSPROSESSE: JANUARIE 2018
INGXELO YOKUPHAMBUKELA KUNYE NOLUNGISO OLUNCINCI LOKUPHEPHELA KWINKQUBO ZOKUFUMANA: JANUWARI 2018

UNANIMOUSLY RESOLVED that

1. in terms of paragraph 36(2) of the SCM Policy, the deviations and the reasons for the deviations for the amount of R2,106,403 for January 2018 as recorded by the Accounting Officer in the annexures to the departmental report, be noted; and
2. the Chief Financial Officer record the accumulated deviation amount of R26,488,520 for the financial year in the notes to the 2017/2018 annual financial statements as required by legislation.

Meeting: Council 28/02/2018 Ref No: 9/1/1/5 Coll Nr: 1277578 X 1279728		Submitted by Directorate: Financial Services Author/s: H Vergontine Referred from: EM - 21/02/2018	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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

None.

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9.	CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY BY THE CITY MANAGER
	ORWEGING VAN VERSLAE, MEDEDELINGS, VERSOEKSKRIFTE EN AANSOEKE IN VERBAND MET DRINGENDE SAKE VOORGELÊ DEUR DIE STADSBESTUURDER
	UKUQWALASELWA KWENGXELO, UQHAKAMSHELWANO, IZIBENGEZO KUNYE NEZICELO EZIHAMBISANA NEMIBA ENGXAMISEKILEYO NGU MANEJALA WESIXEKO

None.

10.	CONSIDERATION OF NOTICES OF MOTIONS AND NOTICES OF QUESTIONS
	ORWEGING VAN KENNISGEWINGS VAN MOSIES EN KENNISGEWINGS VAN VRAE
	UKUQWALASELWA KWEZAZISO ZEZIPHAKAMISO KUNYE NEZAZISO ZEMIBUZO

Cllr T Mpulanyana requested permission to present the following motions of exigency:

1. Expropriation of land; and
2. Issue of the Presidency.

The DA objected and drew attention to the Rules of Order 39(3) which requires two thirds support for a motions of exigency.

Noted.

11.	SUPPLEMENTARY AGENDA
	AANVULLENDE AGENDA
	I AGENDA EYONGEZIWEYO

11.1	REPORT ON INCREASED 2017/18 MIG ALLOCATION: ACCELERATION PLAN
	VERSLAG OOR TOEGEVOEGDE 2017/18 MIG TOEKENNING: VERSNELLINGS PLAN
	INGXELO YONYUSELO LOBONELELO LWE MIG KA 2017/18: IPLANI YOKUKHAWULEZISA

Following questions raised, the Executive Mayor confirmed that the funding will be used for the installation of borehole infrastructure.

UNANIMOUSLY RESOLVED that

the MIG Acceleration Plan be approved for submission to the Department of Cooperative Governance.

Meeting: Council 28/02/2018	Submitted by Directorate: Engineering Services
Ref No: 5/7/8/2	Author/s: Gary Petersen
Coll Nr: 1285252	Referred from: EM-28/02/2018
PAR:	ACTION:
	Implement decision
	RESPONSIBLE DEPT:
	ED: Community Services
	DUE DATE:

MINUTES: COUNCIL/RAAD/IBHUNGA
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11.2 REPORT OF ELECTRICAL FAULT INCIDENT AND EMERGENCY AT PARYS SUBSTATION
VERSLAG OOR ELEKTRISITEITS FOUT INSIDENT EN NOOD TOESTAND BY PARYS
SUBSTASIE

After several questions were raised by councillors regarding insurance cover, the cause of the incident, losses by residents, etc., the Executive Mayor indicated that a final report on the causes of the incident will be tabled at a later stage.

UNANIMOUSLY RESOLVED that

the approval of the Executive Mayor to authorize the unforeseeable and unavoidable expenditure in respect to the damages to the Parys Substation on 6 February 2018 (Annexure A attached to the departmental report) be noted and be ratified.

Meeting: Council 28/02/2018	Submitted by Directorate: Engineering Services
Ref No: 16/2/4/1/ X 16/2/7/3	Author/s: W Albertyn
Coll Nr: 1285241	Referred from: EM-28/02/2018
PAR:	ACTION:
	Submit final report
	RESPONSIBLE DEPT:
	ED: Engineering Services
	DUE DATE:

IN-COMMITTEE/ IN-KOMITEE/ KWI-KOMITI

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

12.1 CONFIRMATION OF CONFIDENTIAL MINUTES
BEKRAGTIGING VAN VERTROULIKE NOTULE
UKUQINISEKISWA KWEMIZUZU EYIMFIHLO

(See confidential minutes)
(Sien vertroulike notule)
(Jonga Imizuzu yemfihlo)

12.2 COUNCILLORS OUTSTANDING DEBT REPORT AS AT 31 JANUARY 2018
RAADSLEDE SE UITSTAANDE SKULD VERSLAG SOOS OP 31 JANUARIE 2018
INGXELO YAMATYALA OCEBA NGOBUNJALO NGOMHLA WE 31 JANUWARI 2018

(See confidential minutes)
(Sien vertroulike notule)
(Jonga Imizuzu yemfihlo)

DRAKENSTEIN MUNICIPALITY

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12.3 MONTHLY IMPLEMENTATION PROGRESS REPORT ON MUNICIPAL MINIMUM COMPETENCY LEVELS FOR SENIOR MANAGERS: DRAKENSTEIN MUNICIPALITY 2017/2018

MAANDELIKSE IMPLEMENTERINGSVERSLAG OOR MUNISIPALE MINIMUM VAARDIGHEIDSVLAKKE VIR SENIOR BESTUURDERS: DRAKENSTEIN MUNISIPALITEIT 2017/2018

INGXELO YENYANGA YENKQUBO YOKUMILISELA UMGANGATHO OMNCICI WOBUCHULE WOMASIPALA KUSENZELWA OMANEJALA ABAKHULU : KUMASIPALA WASE DRAKENSTEIN 2017/2018

(See confidential minutes)
(Sien vertroulike notule)
(Jonga Imizuzu yemfihlo)

The meeting ended at 16:07

CHAIRPERSON:

A. C. S. FOWINAM

DATE:

28 MARCH 2018

Confirmed with/without amendments.
FG/mg

**DRAKENSTEIN MUNICIPALITY
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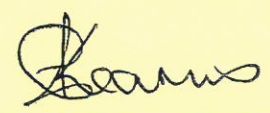
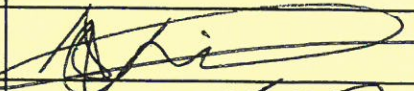
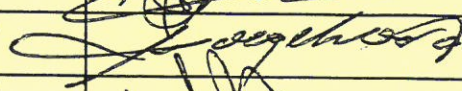

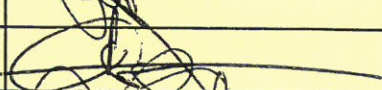

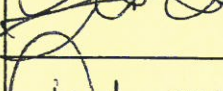
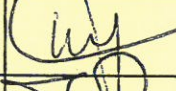
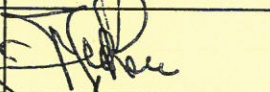
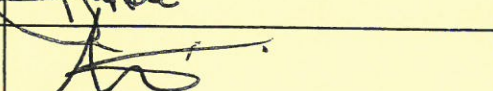
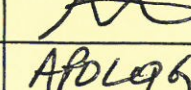
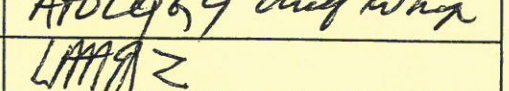
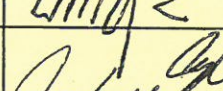
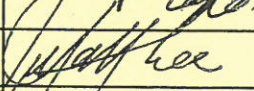
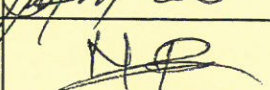
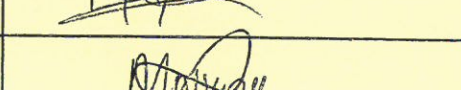
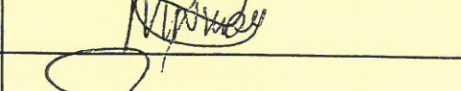





SURNAME	INITIALS	TITLE	CELL NO	SIGNATURE
ABRAHAMS	AW	MS	0737503484	<i>AW Abrahams</i>
ADRIAANSE	MM	MS	0795089815	<i>MM Adriaanse</i>
AFRIKA	AF	MS	0795021437	<i>AF Afrika</i>
ANDERSON	JV	MS	0766851088	<i>JV Anderson</i>
ANDREAS	MA	MS	0767901066	<i>MA Andreas</i>
ARNOLDS	RB	MS	0824450022	<i>R. ARNOLDS</i>
BEKEER	A	MR	0793726947	<i>PRESENT A. Bekeer</i>
BESTER	TG	MR	0823767839	<i>TG Bester</i>
BLANCKENBERG	DS	MR	0833493366	<i>DS Blanckenberg</i>
BOOYSEN	VC	MS	0798342556	<i>VC Booysen</i>
BUCKLE	AML	MR	0834608060	<i>AML Buckle</i>
COMBRINK	GC	MR	0824553445	<i>GC Combrink</i>
CUPIDO	FP	MR	0724874744/ 0726975802	<i>FP Cupido</i>
CUPIDO	PBA	MS	0764467741	<i>PBA Cupido</i>
DE GOEDE	HR	MR	0824369830	<i>HR De Goede</i>
DE WET	J	MS	0837385623 0609687359	<i>J De Wet</i>
DUBA	BP	MS	0739679629	<i>BP Duba</i>
FORD	GH	MR	0726016418	<i>GH Ford</i>
GEORGE	NN	MS	0736722618	<i>NN George</i>
GOUWS	E	MS	0824479711	<i>E Gouws</i>
JACOBS	F	MD	0837600466	<i>F Jacobs</i>
JONAS	SX	MS	0726521981	<i>SX Jonas</i>

R.A. Koegelenberg
29/02/2018
Office of the / Kantoor van die
CHIEFWHIP / HOOFSWEEP
Cllr / Rdl R.A. KOEGELEBERG
Drakenstein

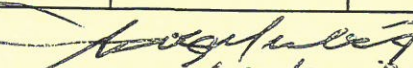
R.A. Koegelenberg

**DRAKENSTEIN MUNICIPALITY
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SURNAME	NAME	TITLE	CELL NO	SIGNATURE
KEARNS	C	MS	0765018441/ 0769406614	
KLAAS	MT	MR	076 843 4749	
KOEGELENBERG	RA	MR	0832693138	
KOTZÉ	HJ	MR	0794311560 0824477693	
KROUTZ	C	MR	0722522866	
LANDU	L	MS	0729187202	
LE HOE	MJ	MR	082184899 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	081 556 8224	
MILLER	J	ADV	0834400507	
MKABILE	ND	MR	0604223964	
MPULANYANA	TR	MR	0769042103	
MOKOENA	LP	MS	0734198671	
NIEHAUS	LW	MR	0844216780	
NOBULA	MD	MR	0825947333	

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Drakenstein


29/02/2018



**DRAKENSTEIN MUNICIPALITY
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SURNAME	INITIALS	TITLE	CELL NO	SIGNATURE
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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	

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Cllr / Rdi R.A. KOEGELBERG
Drakenstein

29/02/2018