

**DRAKENSTEIN MUNICIPALITY**

**MINUTES OF A SPECIAL MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON MONDAY, 28 AUGUST 2017 AT 08:00.**

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

**Senior Officials:**

<b>Dr J H Leibbrandt</b>	<b>(City Manager)</b>
<b>Mr J Carstens</b>	<b>(Chief Financial Officer)</b>
<b>Mr S Johaar</b>	<b>(Executive Director: Corporate Services)</b>
<b>Mr G Boshoff</b>	<b>(Executive Director: Community Services)</b>
<b>Mr D Hattingh</b>	<b>(Executive Director: Infrastructure Services)</b>
<b>Ms L Waring</b>	<b>(Executive Director: Planning and Development)</b>
<b>Mr AV Marais</b>	<b>(Senior Manager Legal and Admin)</b>
<b>Ms R Jaftha</b>	<b>(Chief Audit Executive)</b>
<b>Mr F P Goosen</b>	<b>(Manager: Administrative Support Services)</b>

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



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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 of absence were approved in terms of Council's Rules of Order:-

1. Cllr S X Jonas - Apology;
2. Cllr G C Combrink - Apology;
3. Cllr J Smit - Apology;
4. Cllr A J Van Santen - Apology;
5. Cllr J H N Matthee - Apology.

<b>2. DISCLOSURE OF INTERESTS BY COUNCILLORS / OFFICIALS</b>
<b>VERKLARING VAN BELANGE DEUR RAADSLEDE / AMPTENARE</b>
<b>UKUBHENGEZA KOMDLA NGOCEBA/AMAGOSA</b>

The Chief Whip indicated that Councillor J Miller at the last Council meeting declared his interest regarding item 3 and will not be present when that matter is considered.

<b>3. PROPOSED ALIENATION AND DEVELOPMENT OF FARM 736, KLAPMUTS</b>
<b>VOORGESTELDE VERVREEMDING EN ONTWIKKELING VAN ERF 736, KLAPMUTS</b>
<b>ISINDULULO SOKUPHEPHELA NOKUPHUHLISA KWE FAMA 736 E KLAPMUTS</b>

The ANC requested a 10 minutes caucus, which was granted by the Speaker.

After the caucus the ANC indicated that it supports the recommendations, but requested that the following concerns be included as part of the recommendation:-

- 1) Provision should be made that job opportunities be for Drakenstein residents;
- 2) To ensure that the BBBEE status of the company is not in place after the development process, but also part of the construction and development phases of the project, and that the BBBEE partners also be provided to ensure transparency;

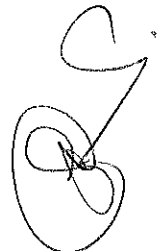
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- 3) The Simondium site mentioned in the report should be offered to the Sakkieskamp claimants as first option before other options are considered in order to ensure Simondium becomes a reality as a matter of urgency within next 3-6 months;
- 4) The small farmers in the Vlakkeland area be also accommodated in Simondium and if not possible, Gouda; and
- 5) That Council note that Vlakkeland area is also utilised for Xhosa male initiation purposes and therefore alternative should be provided therefore.

**UNANIMOUSLY RESOLVED**

1. that in terms of Section 14 of the Municipal Finance Management Act, **in principle** approval be granted for the direct alienation of the portion of Farm 736 RE, Klapmuts measuring approximately 208,7 ha to Western Province Wineries Limited (Registration no 170/014756/06);
2. that the sale be subject to the standard conditions of sale as well as the following conditions:-
  - 2.1 the property is sold at a market related selling price, to be determined by an independent valuer;
  - 2.2 that the applicant be responsible for all costs pertaining to the development of the property including bulk and internal services, subject to the applicable tariffs and policy relating to installation of services;
  - 2.3 that all land use applications, studies and assessments as required in terms of applicable legislation be lodged and undertaken by the applicant. Portion A to be zoned as "Authority Zone" and the balance of the site to be rezoned to "Mixed Use" and "Public Open Space". The obtaining of development rights will be a suspensive condition;
  - 2.4 that the applicant commissions at own cost a Development Framework/Master Plan for Focus Area 8/Larger Klapmuts North area to the specifications of the Municipality;
  - 2.5 that an amended Traffic Impact Assessment and a GLS services report be submitted by the applicant;
  - 2.6 that development time lines as agreed with the purchaser be incorporated into the sale conditions as well as the usual pre-emptive rights in favour of the Municipality, to be registered against the title of the property;



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- 2.7 that the applicant takes note of the condition that, with respect to Portion A which is earmarked as one of the alternative sites for the WTE project, suitable measures will be introduced to ensure that this portion remains duly available to the WTE project as one of the alternative sites until the EIA process of that project has been duly concluded. The detail of such measures will be included in the final conditions of sale;
- 2.8 that the proposed transaction, be advertised for objections and counter offers and thereafter be submitted to Council for final consideration;
- 2.9 that all costs related to the transfer of the properties will be for the applicant's account;
- 2.10 that all technical requirements laid down by the technical departments must be complied with;
- 2.11 that the applicant undertakes the processes for the removal of the restrictive conditions registered against the title of the property;
- 2.12 that all administrative and legal requirements be adhered to;
3. that the applicant be requested to ensure that:
  - 3.1 Drakenstein residents benefits from the development of the land; and
  - 3.2 BBBEE principles be applied throughout the project and their BEE partners be revealed to the Municipality.
4. that tenders not be called for the sale of the land since the direct alienation of the property presents unique development opportunities and economic benefits to the whole of Drakenstein in view of the large extent of the project and expected economic impact such as job creation, economic activity, savings on bulk services costs as well as additional income for the municipality through taxes and service charges;
5. that approval be granted for the subdivision and transfer of the portion of Farm 736, Klappmuts to the South of the N1 (portion B) in extent approximately 12,6 ha to Stellenbosch Municipality, subject to the terms of transfer to be negotiated;
6. that the Land Claims Commission be informed that although alternative land in Gouda has been identified by the municipality for the Sakkieskamp Claimants and is available for such purposes, Council is of the view that the three properties in Simondium as detailed in the report would be more suitable for the claimants and should as first option be explored by the Commission as possible alternative land for the claimants; and

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7. that the possible earmarking of alternative land for initiations purposes at Vlakkeland, be investigated by the Planning Department.

**(Cllr J Miller was not present when this matter was considered).**

Meeting: Ref No: Coil nr:	Special Council – 28/08/2017 15/4/1 (736)K 12445191	Submitted by Directorate: Corporate Services Author/s: S Johaar Referred from:	
<b>PAR:</b> 1-5	<b>ACTION:</b> Implement decision	<b>RESPONSIBLE DEPT:</b> ED: Corporate Services (Properties)	<b>DUE DATE:</b>

The meeting ended at 08:31.

**CHAIRPERSON:** .....

**DATE:** .....

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

*PJ/mg*

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

*Koegelenberg*

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

*[Signature]*

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SURNAME	NAME	TITLE	CELL NO	SIGNATURE
KEARNS	C	MS	0765018441/ 0769406614	<i>Kearns</i>
KLAAS	MT	MR	076 843 4749	<i>Klaas</i>
KOEGELENBERG	RA	MR	0832693138	<i>Koegelenberg</i>
KOTZÉ	HJ	MR	0794311560 0824477693	<i>Kotzé</i>
KROUTZ	C	MR	0722522866	<i>Kroutz</i>
LANDU	L	MS	0729187202	<i>Landu</i>
LE HOE	MJ	MR	0845851690	ABSENT
LE ROUX	JF	MR	0834595965	<i>Le Roux</i>
LUGQOLA	A	MS	0730896903	<i>Lugqola</i>
MANGENA	TC	MR	0725937804	<i>Mangena</i>
MASOKA	ZL	MR	0791202895	<i>Masoka</i>
MATHEE	HJN	MR	0824795315	<i>Mathee</i>
MATHEE	J	MR	0824486180	<i>Mathee</i>
MBENENE	NP	MS	0604141567	<del>ABSENT</del> Present <i>Mathee</i>
MDUNUSIE	MN	MS	0604531733	<del>ABSENT</del>
MEYER	WPD	MR	081 556 8224	<i>Meyer</i>
MILLER	J	ADV	0834400507	<i>Miller</i>
MKABILE	ND	MR	0604223964	ABSENT
MPULANYANA	TR	MR	0769042103	<i>Mpulanyana</i>
MOKOENA	LP	MS	0734198671 0844216780	<i>Mokoena</i>
NIEHAUS	LW	MR		<i>Niehaus</i>
NOBULA	MD	MR	0825947333	<i>Nobula</i>

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

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

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