MINUTES: MAYORAL COMMITTEE (1)

ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS, FIRST FLOOR, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON WEDNESDAY, 18 APRIL 2018 AT 10:00.

PRESENT: The Executive Mayor, Clr C J Poole (Chairperson)

The Deputy Executive Mayor, Clr G C Combrink (Part of meeting)

Councillors: M A Andreas

> F Jacobs **C Kearns** J F le Roux J Miller

L P Mokoena **R Smuts**

L T van Niekerk L Willemse

Clr W Meyer

R H van Nieuwenhuyzen

Also Present: Clr R A Koegelenberg (Chief Whip)

Clr A M Richards (Leader of the opposition) Clr J Matthee (MPAC Chairperson)

Officials: Dr J H Leibbrandt (City Manager)

> Mr J Carstens (Chief Financial Officer) Ms L Waring

(Executive Director: Planning and

Development)

Mr D Hattingh (Executive Director: Engineering Services)

Ms R Jaftha (Chief Audit Executive) Mr A V Marais (Senior Manager: Legal and

Administrative Services)

Mr E Saayman (Senior Manager: Parks, Sports, Cemeteries) Ms R Geldenhuys (Manager: Communication and Marketing)

Mr F P Goosen (Manager: Administrative Support

Services)

Ms E Sieberhagen (Forensic Investigator)

ABSENT: Clr A C Stowman (Speaker) (apology) (sick)

> Mr S Johaar (Executive Director: Corporate Services)

> > (On Council duty)

Mr G Boshoff (Executive Director: Community Services)

(On Council duty) 9000@@@@oo<

MINUTES: MAYORAL COMMITTEE 18 APRIL 2018

1. LEAVE ARRANGEMENTS AND NON-AVAILABILITY OF COUNCILLORS AND SENIOR MANAGEMENT

1. Mr G Boshoff:

On Council Duty

2.

Mr S Johaar :

On Council Duty

2. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR

The Executive Mayor welcomed members of the public to the meeting.

3. DISCLOSURE OF INTERESTS BY COUNCILLORS/OFFICIALS

None.

4. CONFIRMATION OF MINUTES

The following meetings were confirmed as correct:

- Ordinary meeting held on 20 March 2018;
- ii. Confidential meeting held on 20 March 2018;
- iii. Ordinary meeting held on 28 March 2018; and
- iv. Confidential meeting held on 28 March 2018.

5. SCHEDULE OF DECISIONS

RESOLVED that

the Schedule of Decisions be noted.

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6. EXECUTIVE MAYOR

6.1 APPOINTMENT OF THE PANEL TO INTERVIEW AND RECOMMEND THE APPOINTMENT OF AUDIT COMMITTEE MEMBERS

AANSTELLING VAN 'N PANEEL OM ONDERHOUDE TE VOER EN AANBEVELINGS TE MAAK AANGAANDE DIE AANSTELLING VAN OUDITKOMITEELEDE

UKUTYUNJWA KWESIQEBA SOTHETHWANO KUNYE NEZINCOMO ZOKUQESHWA KWELUNGU LWEKOMITI YOPHICHOTHO ZINCWADI

RECOMMENDED that

The following councillors be nominated to the panel to interview prospective candidates to serve on the Municipal Audit Committee:-

- 1) Clr A Stowman (Speaker);
- 2) Cir JF Le Roux; and
- 3) Clr J Matthee.

Meeting: Mayco – 18/04/2018 Ref No: 3/3/1/3/9/1 Coll Nr: 1290841		Submitted by Department: Author/s: Referred from:	Internal Audit R Jaftha	
PAR:	ACTION:	RESPONSIBLE DEPAR	RTMENT:	DUE DATE:

6.2 REPORT AND RECOMMENDATIONS TO COUNCIL FROM THE AUDIT COMMITTEE:
QUARTERLY MEETING HELD ON 28 FEBRUARY 2018

VERSLAG EN AANBEVELINGS AAN DIE RAAD VAN DIE OUDITKOMITEE:
KWARTAALLIKSE VERGADERING VAN 28 FEBRUARIE 2018

INGXELO KUNYE NEZINDULULO KWIBHUNGA EZIVELA KWINTLANGANISO YEKOTA
YEKOMITI YOPHICHOTHO ZINCWADI EYAYIBANJIWE NGOMHLA WE 28 FEBUWARI 2018

RECOMMENDED that

Council accepts the following recommendations of the Audit Committee:-

1. Internal Audit

- 1.1 The organisational 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 organisational 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. General

- 2.1 Water consumption by indigent consumers is still being monitored by management;
- 2.2 The conflict of accountability in respect of outstanding municipal accounts at Saron and Gouda remains a concern despite Council and management efforts to resolve the matter; and
- 2.3 Asset management as reported by the internal and external auditors remain a risk area. Management has confirmed that this matter is being addressed.

Meeting: Mayco – 18/04/2018 Ref No: 3/3/1/3/9/1 Coll No: 1290941		Submitted by Department: Author/s: Referred from:	Internal Audit R Jaftha	
PAR:	ACTION:	RESPONSIBLE DEPAR	TMENT:	DUE DATE:

7. PLANNING AND ECONOMIC DEVELOPMENT

7.1 VPUU: URBAN GARDENING PROJEC	T
VPUU: STEDELIKE TUINMAAK PROJ	EK
VPUU: IPROJEKTI YENTSIMI EDOLOI	PHINI

RESOLVED that

The item be referred back and reference be made to other similar successful projects implemented and the proposed Memorandum of Understanding also be submitted.

Ref No: 17/19/5/1 Coll No: 1265533		Submitted by Department: Author/s: Referred from:	Planning and Do C Phillips Plan & Dev - 04,	
PAR:	ACTION:	RESPONSIBLE DEPAR	TMENT:	DUE DATE:
	Re-submit item	ED: Planning and Deve	lopment	
	15			

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MINUTES: MAYORAL COMMITTEE 18 APRIL 2018

7.2 PROPOSED DRAKENSTEIN MUNICIPALITY RESILIENCE CONDITIONS OF APPROVAL: REPORT: MARCH 2018

VOORGESTELDE DRAKENSTEIN MUNISIPALITEIT VEERKRAGTIGHEID GOEDKEURINGS-

VOORWAARDES: VERSLAG: MAART 2018

ISINDULULO SEMEKO KOKUQINISEKISWA KOKOMELELA KWAKHONA KOMASIPALA

WASE DRAKENSTEIN: INGXELO: MATSHI 2018

RESOLVED that

The item be referred back for a workshop to be held with all relevant role-players to discuss the way forward.

Meeting: Mayco - 18/04/2018 Ref No: 15/1 Coll No: 1293215		Submitted by Department: Author/s: Referred from:	Planning and Development J Meyer Plan & Dev - 04/04/2018	
PAR:	ACTION:	RESPONSIBLE DEPAR	TMENT:	DUE DATE:
	Re-submit item	ED: Planning and Deve	elopment	

7.3 MUNICIPAL CLIMATE CHANGE PARTNERSHIP WITH NEUMARKT MUNICIPALITY: INVITATION TO RENEW THE JOINT PROGRAMME OF ACTION, GERMANY FROM 22 TO 28 **JULY 2018** MUNISIPALE KLIMAAT VENNOOTSKAP VERANDERING MET **NEUMARKT** MUNISIPALITEIT: UITNODIGING OM DIE GEMEENSKAPSPROGRAM VAN AKSIE TE HERNU, DUITSLAND VAN 22 TOT 28 JULIE 2018 UKUDIBANA **KWEMEKO** YOKUQUKO LWEMEYEZULU YOMASIPALA KUNYE NOMASIPALA NEUMARKT: ISIMEMO SOKUHLAZIYA KWENKQUBO EDIBENEYO E

GERMANY UKUSUKELA NGE 22 UKUYA KWI 28 JULAYI 2018

RESOLVED that

- The invitation to Drakenstein Municipality to attend and participate in the
 assessment of the status of the current Joint Programme of Action regarding the
 Municipal Climate Change Partnership and to enter into negotiations to extend the
 partnership and funding arrangements for a further period of at least three years,
 be noted;
- 2. The Executive Mayor, Clr C Poole, the MMC for Human Settlements and Property Management, Clr L Willemse, and the Executive Director: Planning and Development, Ms L Waring, be mandated to represent Drakenstein Municipality; and

 It be noted that travel and accommodation costs will be sponsored by Engagement Global.

Meeting: Mayco -: Ref No: 5/13/1/1 Coll No: 1293408	/04/2018	Submitted by Department: Author/s: Referred from:	Planning & Dev L Waring Plan & Dev 04/	
PAR:	ACTION:	RESPONSIBLE DEPART	TMENT:	DUE DATE:
1-3	Implement decision	ED: Planning and Deve	lopment	

7.4 ALLOCATION OF INFORMAL TRADING STRUCTURES
TOEKENNING VAN INFORMELE HANDELSTRUKTURE
UNIKEZELO LWEZAKHIWO ZOKUSHISHINA EZINGEKHOMTHETHWENI

RESOLVED that

- 1. The following applicants for lease, subject to concluding a lease agreement, be approved:-
 - 1.1 Van der Poels Square

The existing traders at Van der Poels Square be approved and that the two (2) vacant spaces be re-advertised:

Applicant	Type of Product	Existing Trader (Y/N)
1. Johnathan Hoffman	Arts and Crafts	Y
2. Noxolo Lupoko	Arts and Crafts	Y
3. Daniel Hadiwamwe	Wooden Furniture	Y
4. Munyoro Wirimayi	Wooden Furniture	Y
5. Andrew Meyer	Flowers and Plants	Y
6. Yusuf Moerat	Fruits and Vegetables	Y

1.2 Wamkelekile Business Hive: Closed units:

Applicant	Type of Product	Existing Trader (Y/N)
 Thozama Hazel Matja 	Hair and Beauty Salon	N
2. Gladys Maseng	Traditional Clothing	N
	Boutique	

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Wamkelekile Business Hive: Open plan units:

Applicant	Type of Product	Existing Trader (Y/N)
1. Sonia Pops	Fish	N
2. Mzuvukile Sibula	Clothing	N
3. Beauty Ncube	Socks, Ties, etc	N
4. Bonga Nqalo	Fruit and Vegetables	N

Mr Tsolo was not considered due to the nature of his business being potentially dangerous.

1.3 Mphakalasi Business Hive:

Applicant	Type of Product or Service	Existing Trader (Y/N)
1. Thuleka Casa	Nail and Beauty Salon	Υ

1.4 New Street, Paarl CBD:

Applicant	Type of Product or Service	Existing Trader (Y/N)
1. Nomlinganiso Fall	Food	Y
2. Momboxolo Mini	Food	Υ
3. Thandiswa Mkosana	Clothing	Υ
4. Nokulunga Ntsinde	Novelties	Υ
5. Feziwe Cetywayo	Jewellery	Υ
6. Gerrit Anthony van Rooyen	Fruit and Vegetables	Υ
7. Shiehaam Benjamin	Take-away Foods	Υ
8. Abdullah Omar Olad	Clothing	Υ
9. Gert Kock	Herbs	Υ
10. Rushnieya Hermanus	Hampers	Y
11. Fasieda Anderson	Fruit and Vegetables	Υ
12. Nomfazane Sylvia Buti	Clothes	Υ
13. Natacha Moubou-Bassila	Cosmetics	Υ
14. Alfred Sims	Vegetables	Y
15. Matthews Sybok	Take-away Foods	Υ
16. Sabelo Lumkwana	Clothes	Υ
17. Fadumo Osman Mohadi	Clothes	Υ
18. Julian Jacobs	Take-away Foods	Υ
19. Anelisiwe Mbenene	Take-away Foods	Υ
20. Nomadithini Jongile	Ladies Clothes	Υ

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The remaining vacant space will be re-advertised.

Meeting: Ref No: Coli No:	Mayco - 18/04/2018 3/P 1293431		Submitted by Department: Author/s: Referred from:	C Phillips	04/04/2018
	PAR:	ACTION:	RESPONSIBLE DEPARTM	ENT:	DUE DATE:
		Implement decision	ED: Planning and Develop	ment	

7.5 WESGRO PARTNERSHIP AGREEMENT
WESGRO VENNOOTSKAP OOREENKOMS
SIVUMELWANO LOLWAHLULOLWANE NE WESGRO

RESOLVED that

- The promotion of tourism, trade and investment agreement to the value of R350 000 from the 2018/2019 budget be approved;
- 2. The draft Memorandum of Agreement be approved; and
- WESGRO be informed that no future funding beyond the 2018/2019 financial years is guaranteed.

Meeting: Mayco - 18/04/2018 Ref No: 1/9 Coll No: 1293464		Submitted by Department: Planning & Development Without Hendricks Referred from: Plan & Dev - 04/04/2			
	PAR:	ACTION:	RESPONSIBLE DEPART	MENT:	DUE DATE:
1-3 Implement decision		ED: Planning and Devel	opment		

7.6 INTRODUCTION OF DRAFT AMENDMENTS TO THE DRAKENSTEIN BY-LAW ON MUNICIPAL LAND USE PLANNING, 2015

BEKENDSTELLING VAN DIE KONSEP WYSIGINGS AAN DIE DRAKENSTEIN VERORDENING OP MUNISIPALE GRONDGEBRUIKBEPLANNING, 2015

UKWAZISA KWESILUNGISELELO LOYILO LOMGAQO NKQUBO WASE DRAKENSTEIN KWI MUNICIPAL LAND USE PLANNING, 2015

RECOMMENDED that

1. In terms of section 156(2) of the Constitution of the Republic of South Africa, 1996, read together with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), the draft amendments to the Drakenstein By-law on Municipal Land Use Planning, 2015 (Annexure A to the departmental report), be approved in principle;

- The draft amendments to the Drakenstein By-law on Municipal Land Use Planning, 2015 (Annexure A to the departmental report), be published for public representation in terms of section 12(3)(b) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000); and
- 3. The draft amendments to the Drakenstein By-law on Municipal Land Use Planning, 2015 (Annexure A to the departmental report), together with any representation received during the period for representation, be submitted to Council for consideration, after the public comment period.

Meeting: Mayco - 18/04/2018 Ref No: 1/5/2/24 Coll No: 1293632		Submitted by Department: Author/s: Referred from:	Planning & Development C Phillips Plan & Dev - 04/04/2018		
	PAR:	ACTION:	RESPONSIBLE DEPART	MENT:	DUE DATE:

8. CORPORATE SERVICES

8.1 RENEWAL OF LEASE AGREEMENT – LOLLYPOP EDUCARE CENTRE, PORTION OF ERF 5810, COODE STREET, WELLINGTON

HERNUWING VAN HUUROOREENKOMS – LOLLYPOP EDUCARE SENTRUM, GEDEELTE VAN ERF 5810, COODESTRAAT, WELLINGTON

UKUHLAZIWA KWESIVUMELWANO ZOKUQESHISA – LOLLYPOP EDUCARE CENTRE ICEBA LESIZA 5810 COODE STREET E WELLINGTON

RECOMMENDED that

- 1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations, <u>final approval</u> be granted for the lease of the property situated on a portion of Erf 5810, Coode Street, Wellington to Lollypop Educare Centre, subject to the standard lease conditions as well as the following further conditions that:-
 - 1.1 The property be leased at a subsidized rental of R374.47 per month (VAT excluded, 8% per annum included);
 - 1.2 The lease endures for a period of two (2) years, after which the renewal thereof may be reviewed by Council;
 - 1.3 The current lease conditions as per the lease agreement be complied with; and
 - 1.4 All administrative and legal requirements be adhered to.

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 Tenders not be called for the lease of the premises due to the fact that the subject property has been leased to the Lollypop Educare Centre since 1995.
 The proposed renewal has been advertised for objections and offers to lease by other interested parties and none were received.

Meeting: Ref No: Coll No:	Mayco - 18/04/2018 15/4/1 (5810)W 1273915		Submitted by Department: Author/s: Referred from:	Corporate Services N Williams Corp Serv Port - 03/0	14/2018
	PAR:	ACTION:	RESPONSIBLE DEP	ARTMENT:	DUE DATE:

8.2 PROPOSED LEASE OF MUNICIPAL PROPERTY SITUATED ON A PORTION OF ERF 1297, GENERAAL HERTZOG AVENUE, WELLINGTON TO CURIOUS MONKEYS PLAY SCHOOL AND AFTERCARE

VOORGESTELDE VERHURING VAN 'N GEDEELTE VAN ERF 1297, GENERAAL HERTZOGLAAN, WELLINGTON AAN CURIOUS MONKEYS PLAYSCHOOL AND AFTERCARE ISINDULULO SOKUPHEPHELA KWEPROPATI KAMASIPALA EKWICEBA LESIZA 1297 GENERAL HERTZOG AVENUE E WELLINGTON KWI CURIOUS MONKEYS PLAY SCHOOL AND AFTERCARE

RECOMMENDED that

- 1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations, <u>final</u> <u>approval</u> be granted for the lease of the property situated on a portion of Erf 1297, Generaal Hertzog Avenue, Wellington to Curious Monkeys Aftercare and Playschool, subject to the standard lease conditions as well as the following further conditions:-
 - 1.1 The property be leased at a market related rental of R3120.00 per month (VAT excluded, 8% per annum included);
 - 1.2 The lease endures for a period of two years, after which the renewal thereof may be reviewed by Council;
 - 1.3 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 The crèche registers the site with the Department of Social Development within 6 months from final approval of the proposed lease; and

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1.5 All administrative and legal requirements be adhered to.

Meeting: Ref No: Coll No:	Mayco - 18/04/2018 15/4/1 (1297) W 1273879		Submitted by Department: Author/s: Referred from:	Corporate Service N Williams Corp Serv Port - (
	PAR:	ACTION:	RESPONSIBLE DEPARTI	MENT:	DUE DATE:

8.3 LEASE OF MUNICIPAL PROPERTY TO THE UNIVERSITY OF CAPE TOWN — ROOM A, PORTION OF ERF 2689, MATHAKATHA STREET, MBEKWENI

VERHURING VAN MUNISIPALE EIENDOM AAN DIE UNIVERSITEIT VAN KAAPSTAD — KAMER A, GEDEELTE VAN ERF 2689, MATHAKATHASTRAAT, MBEKWENI

UKUQESHISWA KWEPROPATI KAMASIPALA KWIDYUNIVESITI YASE KAPA — IGUMBI A ECEBA KWISIZA 2689 MATHAKATHA STREET E MBEKWENI

RECOMMENDED that

- 1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations <u>final</u> <u>approval</u> be granted for the lease of Room A, situated on a portion of Erf 2689, Mathakatha Street, Mbekweni (±72,7m²) to the University of Cape Town, subject to the normal lease conditions as well as the following further conditions:-
 - 1.1 The property be leased at a subsidized rental of 10% of the market value which is R196.67 per month (VAT excluded, 8 % annual escalation included);
 - 1.2 The lease endures for a period of three (3) years, 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 health and research purposes and for no other purpose.

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 Room A not be put on formal public tender due to the University of Cape Town rendering a valuable service in the community and need space urgently.
 Applications to lease this space was called previously, but no suitable applications were submitted.

Meeting: Ref No: Coll No:	Mayco - 18/04/2018 15/4/1 (2689) M 1273747		Submitted by Department: Author/s: Referred from:	Corporate Service N Williams Corp Serv Port - 0	
	PAR:	ACTION:	RESPONSIBLE DEPAR	RTMENT:	DUE DATE:

8.4 PROPOSED ALIENATION OF ERF 2651, C/O BEETS AND VALLEI STREETS, WELLINGTON (KNOWN AS THE OLD NEWTON CLINIC) FOR CHURCH/SOCIAL WELFARE PURPOSES VIA CALL FOR APPLICATIONS

VOORGESTELDE VERVREEMDING VAN ERF 2651, H/V BEETS- EN VALLEISTRATE, WELLINGTON (BEKEND AS DIE OU NEWTON KLINIEK) VIR KERK/GEMEENSKAPSDOELEINDES DEUR MIDDEL VAN VERSOEK VIR AANSOEKE

ISINDULULO SOKUPHEPHELA KWESIZA 2651 KWI KONA YE BEETS NE VALLEI STREET E WELLINGTON (EYAZIWA NJENGE PLD NEWTON CLINIC) KUSENZELWA ICAWE/INTLALONTLE NGOKUBIZA IZICELO

RESOLVED that

The item be referred back for further consultation with the ward councillor.

Meeting: Ref No: Coll Nr:	Ref No: 15/4/1 (2651) W		Submitted by Department: Author/s: Referred from:	/s: F Williams		
	PAR:	ACTION:	RESPONSIBLE DEPAR	RTMENT:	DUE DATE:	

8.5 RENEWAL OF LEASE AGREEEMENT: BKB LIVESTOCK & PROPERTIES – PORTION OF ERF 585, GOUDA

HERNUWING VAN HUUROOREENKOMS: BKB VEE & EIENDOMME – GEDEELTE VAN ERF

585, GOUDA

UKUHLAZIWA KWESIVUMELWANO SOKUQESHISA: BKB LIVESTOCK & PROPERTIES – ICEBA LESIZA 585 E GOUDA

RECOMMENDED that

1.

In terms of Regulation 34 of the Municipal Asset Transfer Regulations, <u>final</u> <u>approval</u> be granted for the renewal of the lease of portion B of Erf 585 Gouda, to BKB twestock and Properties, subject to the standard lease conditions as well as the following further conditions:-

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- 1.1 The property be leased at a market related rental of R4 861.80 per month (VAT excluded, including 8% escalation per annum);
- 1.2 The lease endures for a period of 3 years, after which the renewal thereof may be considered by Council;
- 1.3 The property may only be used as a livestock auction facility;
- 1.4 The lease be subject to a notice period of 3 months should the property be required by the Municipality for municipal or development purposes;
- 1.5 The applicant be responsible for the payment of all municipal services; and
- 1.6 All administrative and legal requirements be adhered to; and
- A formal bidding process for the renewal of the lease not be followed due
 to the lease being a renewal of an existing lease and the fact that a public
 participation process has been followed in terms of which any interested
 party may apply for the land, and no objections/counter offers have been
 received.

Meeting: Mayco – 18/04/2018 Ref No: 15/4/1 (585) Gouda Coll No: 1273942		Submitted by Department: Author/s: Referred from:	Corporate Services F Williams Corp Serv Port - 03/04/2018	
PAR:	ACTION:	RESPONSIBLE DEPAI	RTMENT:	DUE DATE:

8.6 ADOPTION OF DRAFT BY-LAW RELATING TO THE TRANSFER OF MUNICIPAL CAPITAL ASSETS

AANVAARDING VAN KONSEP VERORDENING INSAKE DIE OORDRAG VAN MUNISIPALE KAPITALE BATES

UKUMILISELWA KOMGAQO NKQUBO ODIBENE NE TRANSFER OF MUNICIPAL CAPITAL ASSETS

RECOMMENDED that

 The draft By-Law (attached to the departmental report) relating to the Transfer of Municipal Capital Assets, be adopted in principle; and

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The draft by-law be advertised in the press for public comments.

Meeting: Ref No: Coll No:	Mayco - 18/04/2018 1/5 1267218		Submitted by Directorate: Author/s: Referred from:	Corporate Services AV Merals Corp Serv Port - 03	
	PAR:	ACTION:	RESPONSIBLE DEPA	RTMENT:	DUE DATE:

8.7 APPOINTMENT OF MUNICIPAL ELECTORAL OFFICER AANSTELLING VAN MUNISIPALE VERKIESINGSBEAMPTE UKUQESHWA KWEGOSA LONYULO LUKAMASIPALA

RECOMMENDED that

- Council recommend to the Independent Electoral Commission (IEC) to replace Mr J Rhoda by the City Manager, Dr J H Leibbrandt, as Municipal Electoral Officer (MEO) for Drakenstein Municipality; and
- The Provincial Electoral Officer and the IEC be informed accordingly.

Meeting: Ref No: Coll Nr:	Mayco - 18/04/2018 1/1 1287218		Submitted by Department: Author/s: Referred from:	Corporate Service AV Marais Corp Serv Port 03	
	PAR:	ACTION:	RESPONSIBLE DEPAI	RTMENT:	DUE DATE:

8.8 PROPOSED LONG TERM LEASE OF A PORTION OF THE REMAINDER OF ERF 5058 PAARL TO NEXUSAG (PTY) LTD IN ORDER TO REGULARISE AN ENCROACHEMENT

VOORGESTELDE OORSKRYDING EN LANGTERMYN VERHURING VAN 'N GEDEELTE VAN DIE RESTANT ERF 5058 PAARL AAN NEXUSAG (EDMS) BPK OM 'N OORSKRYDING TE REGULARISEER

ISINDULULO SOKUQESHISA SEXESHA ELIDE ICEBA LENTSALELA YE 5058 E PAARL KWI NEXUSAG (PTY) LTD KUKWAZI KULAWULWE UKUDIBANA

RECOMMENDED that

In terms of Regulation 34 of the Municipal Asset Transfer Regulations, <u>approval in principle</u> be granted for the lease of a portion of Remainder Erf 5058 Paarl, measuring ±3 687m², to Nexusag (Pty) Ltd, 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 and an independent valuation will be obtained from an independent valuer;

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- 1.2 The proposed transaction be advertised for objections and counter-offers;
- 1.3 The lease will endure for a period of 5 years, after which the renewal thereof may be considered by Council;
- 1.4 The property may only be used for vehicular movement and parking purposes;
- 1.5 The lease be subject to a notice period of 3 months should the property be required by the municipality for municipal or development purposes;
- 1.6 The applicant be responsible for the payment of all municipal services;
- 1.7 The temporary closure of the subject property is also approved and such closure must be advertised together with the proposed lease of the subject property;
- 1.8 The municipality must have access to all municipal services situated on the subject property;
- 1.9 All administrative and legal requirements be adhered to; and
- 1.10 Access to all municipal services must at all times be possible.
- 2. A competitive process for the lease of the subject property not be followed due to the fact that the subject property is located between the Berg River and Erf 19134, Paarl, the latter property being that of the applicant. The subject property therefore only lends itself to be utilised by the adjacent landowner.

Meeting: Corporate Portfolio – 18/04/2018 Ref No: 15/4/1(5058)P Coll No: 1289940		Submitted by Department: Author/s: Referred from:	Author/s: F Williams		
	PAR:	ACTION:	RESPONSIBLE DEPA	RTMENT:	DUE DATE:

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8.9 PROPOSED ALIENATION OF A PORTION OF ERF 2385, MBEKWENI TO ADJACENT LANDOWNER OF ERF 2384 MBEKWENI (MR GWANYA)

VOORGESTELDE VERVREEMDING VAN 'N GEDEELTE VAN ERF 2385, MBEKWENI AAN AANGRESENDE EIENAAR VAN ERF 2384 MBEKWENI (MNR GWANYA)

ISINDULULO SOPHEPHELO LWECEBA LESIZA 2385 E MBEKWENI EKUFUTSHANE NOMNINI WOMHLABA KWISIZA 2384 E MBEKWENI (MNU GWANYA)

RECOMMENDED that

- 1. In terms of Section 14 of the MFMA <u>approval in principle</u> be granted for the alienation of a portion of Erf 2385, Nozala Street, Mbekweni measuring approximately 60m² in extent to the adjacent landowner of Erf 2384 Mbekweni (Mr Gwanya) subject to the following conditions:-
 - 1.1 The subject property be sold at a market related selling price, to be determined by an independent valuer;
 - 1.2 The proposed transaction be advertised in the press for objections/ counter offers and thereafter be submitted to Council for final consideration of the application. The subdivision and consolidation be advertised simultaneously with the proposed transaction for the alienation of the subject property for objections and counter offers;
 - 1.3 All surrounding property landowners be notified in writing of the proposed sale; and
 - 1.4 The transaction be subject to the technical conditions as set out in Annexure D to the departmental report.
- 2. Should the owner of Erf 2386 Mbekweni be interested in acquiring a portion of Erf 2385 Mbekweni, the same terms and conditions be applicable, subject to submission of the necessary application to purchase, provided that adequate space is retained for a thoroughfare to the pedestrian passage.
- A competitive bidding process for the sale of the portion of land not be followed since this portion can only be used by the adjacent landowners (being owners of Erven 2384 and 2386, Mbekweni).

Meeting: Ref No: Coll No:	Mayco – 18/04/2018 15/4/1 1280824		Submitted by Department: Author/s: Referred from:	Corporate Services N October Corp Serv Port - 03/0	04/2018
	PAR:	ACTION:	RESPONSIBLE DEPAI	RTMENT:	DUE DATE:
			10		

MINUTES: MAYORAL COMMITTEE 18 APRIL 2018

8.10 ADOPTION OF AMENDED RULES OF ORDER FOR THE SPECIAL COMMITTEE DEALING WITH TRANSGRESSIONS IN TERMS OF THE CODE OF CONDUCT FOR COUNCILLORS AANVAARDING VAN GEWYSIGDE ORDEREËLS VIR DIE SPESIALE KOMITEE WAT HANDEL MET OORTREDINGE VAN DIE GEDRAGSKODE VIR RAADSLEDE UKUMILISELWA KOKULUNGISWA KWENKQUBO YWKOMITI EYODWA YOKUQUBISWA NOKOPHULWA KOMTHETHO NJENGOKO KUBEKIWE KUNGAQO QOKUZIPHATHA KOOCEBA

RECOMMENDED that

The revised Rules and Uniform Standing Procedures Regulating the Conduct of Meetings and Hearings of the Special Committee Established in terms of the Code of Conduct for Councillors, be adopted.

Meeting: Mayco - 18/04/2018 Ref No: 3/3/1/3/7 Coll No: 1294973		Submitted by Department: Author/s: Referred from:	Corporate Services AV Marals	
PAR:	ACTION:	RESPONSIBLE DEPAR	RTMENT:	DUE DATE:

9. HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT

9.1 TRANSFER OF OWNERSHIP OF BLOMMEDAL RENTAL UNITS OORDRAG VAN EIENAARSKAP VAN DIE BLOMMEDAL HUUREENHEDE UKUGUQULWA KOBUNINI BEZINDLU ZOKURENTA ZASE BLOMMEDAL

The Mayor requested the department to accelerate the process of ownership, where possible.

RESOLVED that

- The progress made with regards to the process of transferring ownership of Blommedal Rental Units to the respective tenants, be noted; and
- The issues delaying the process of transferring ownership to the tenants, be noted.

Meeting: Mayco – 18/04/2018 Ref No: 17/5/1 Coll No: 1283040		Submitted by Department: Author/s: Referred from: Planning and Development F Rhoda Plan & Dev - 04/04/2018		
PAR:	ACTION:	RESPONSIBLE DEPAR	TMENT:	DUE DATE:
1-2	Implement decision	ED: Planning and Deve	elopment	

7

MINUTES: MAYORAL COMMITTEE 18 APRIL 2018

9.2	DRAKENSTEIN MUNICIPAL HOU LETTER	ISING BUSINESS PLAN-PIPELINE: REVISED	ALLOCATION
	DRAKENSTEIN MUNISIPALE TOEKENNINGSBRIEF	BEHUISINGSBESIGHEIDSPLAN-PYPLYN:	GEWYSIGDE
	I DRAKENSTEIN MUNICIPAL KWENCWADI YONIKEZELO	HOUSING BUSINESS PLAN-PIPELINE:	UKUHLOLWA

RESOLVED that

The revised allocation be noted.

Meeting: Mayco – 18/04/2018 Ref No: 17/5/3/1 Coll No: 1293717		Submitted by Department: Planning and Development Author/s: F Rhoda Referred from: Plan & Dev - 04/04/2018		
PAR:	ACTION:	RESPONSIBLE DEPAR	TMENT:	DUE DATE:
	Implement decision	ED: Planning and Deve	elopment	

9.3	DRAFT DRAKENSTEIN TEMPORARY HOUSING ASSISTANCE POLICY: REQUEST FOR
	PUBLIC PARTICIPATION
	KONSEP DRAKENSTEIN TYDELIKE BEHUISINGSONDERSTEUNINGSBELEID: VERSOEK VIR
	PUBLIEKE DEELNAME

RESOLVED that

The draft temporary Housing Assistance Policy be advertised for public comment.

	Submitted by Department: Author/s: Referred from:	Planning and Deve F Rhoda Plan & Dev - 04/0	
ACTION:	RESPONSIBLE DEPAR	TMENT:	DUE DATE:
Implement decision	ED: Planning and Deve	elopment	
		Author/s: Referred from: ACTION: RESPONSIBLE DEPAR	Author/s: F Rhoda Referred from: Plan & Dev - 04/0- ACTION: RESPONSIBLE DEPARTMENT:

4

10. PUBLIC SAFETY

10.1 BY-LAW LIQUOR TRADING DAYS AND HOURS - APPROVAL OF COMMENTS TO BE FORWARDED TO THE WESTERN CAPE LIQUOR AUTHORITY

VERORDENING: DRANKHANDELSDAE EN URE - GOEDKEURING VAN KOMMENTAAR VIR INDIENING BY DIE WES-KAAPSE DRANKRAAD

UMGAQO NKQUBO WENTSUKU NE NAMAXESHA OKUTHENGISWA KOTYWALA – UKWAMKELWA KWEZIMVO EZIYAKUGQITHISWA KWI WESTERN CAPE LIQUOR AUTHORITY

RESOLVED that

- The comments received from the Department Planning and Development (Land Use), Ward Councillor and SAPS of applications received as reflected in Schedule 1 be supported and forwarded to the Western Cape Liquor Authority:-
 - 1.1 Ebulathi (The Kraal): Application for the sale of liquor on the premises where liquor is sold. Application be supported.
- 2. The application as per the comments of the Department Planning and Development as stated in Schedule 1 not be supported:-
 - 2.1 Pearl Rock Terrace: Application for the sale of liquor on the premises where liquor is sold. Application not be supported.
- The comments forwarded to the Western Cape Liquor Authority for temporary liquor licenses for the following special events as stated in Schedule 2, be noted:-
 - 3.1 Love and Light Nelson Wine Estate, 03 March 2018;
 - 3.2 Paarl Ommiberg Festival Boland Kelder 2018, 03 March 2018;
 - 3.3 Paarl Boys High 150 Year celebration, 02 March 2018;
 - 3.4 XTN Fig Festival 2018, 17 and 18 March 2018;
 - 3.5 Klub Klein Gim 2018, 09 March 2018; and
 - 3.6 Pinotage and Biltong Festival Perdeberg, 14 and 15 April 2018.

Meeting: Mayco – 18/04/2018 Ref No: 1/5/2/17 Coll No: 1292620		Submitted by Department: Author/s: Referred from:	Community Servi	ces Portf - 04/04/2018
PAR:	ACTION:	RESPONSIBLE DEPAR	TMENT:	DUE DATE:
1-3	Implement decision	ED: Community Se	rvices	

ED: Community Service

11. FINANCIAL SERVICES

11.1 WRITING-OFF OF IRRECOVERABLE DEBTORS REPORT: MARCH 2018
AFSKRYF VAN ONINBARE DEBITEURE VERSLAG: MAART 2018
UKUCINYWA KWAMATYALA ANGAHLAWULWAYO - KWINYANGA KA MATSHI 2018

RESOLVED that

- Irrecoverable debt to the amount of R1,156,214.03 written-off in terms of Council's Writing-Off of Irrecoverable Debt Policy for the month of March 2018, be noted; and
- 2. The amount of R 34,523,593.83 written-off for the first nine (9) months of the 2017/2018 financial year, be noted.

Meeting: Mayco – 18/04/2018 Ref No: 5/15/1 Coll Nr: 1296563		Submitted by Department: Author/s: Referred from:	Financial Services A Abrahams	
PAR:	ACTION:	RESPONSIBLE DEPARTME	ENT:	DUE DATE:
	Implement decision	CFO		

11.2 INDIGENT HOUSEHOLDS' STATISTICS REPORT AS AT 31 MARCH 2018

DEURNIS HUISHOUDELIKE VERSLAG SOOS OP 31 MAART 2018

INGXELO YOLUHLU LWEZINDLU EZINGAMAHLWEMPU NGOBUNJALO NGOMHLA
WE 31 MATSHI 2018

RESOLVED that

the report be noted.

Meeting: Mayco – 18/0 Ref No: 9/1/1/4 Coll Nr: 1296670	4/2018	Submitted by Department: Author/s: Referred from:	Financial Services A Abrahams
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

MINUTES: MAYORAL COMMITTEE 18 APRIL 2018

11.3 DRAKENSTEIN'S OUTSTANDING DEBTORS REPORT AS AT 31 MARCH 2018
DRAKENSTEIN SE UITSTAANDE SKULDVERSLAG SOOS OP 31 MAART 2018
NGXELO YAMATYALA ASE DRAKENSTEIN NGOBUNJALO NGOMHLA WE 31 MATSHI 2018

RESOLVED that

the report be noted.

Meeting: Mayco - 18/0 Ref No: 9/1/1/4 Coll Nr: 1296677	4/2018	Submitted by Department: Author/s: Referred from:	Financial Services A Abrahams
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

11.4	DRAKENSTEIN OUTSTANDING COUNCIL PROPERTY LEASE REPORT AS AT 28 MARCH 2018
	DRAKENSTEIN UITSTAANDE RAADSEIENDOM HUURVERSLAG SOOS OP 28 MAART 2018
	INGXELO YAMATYALA ASE DRAKENSTEIN NGOBUNJALO NGOMHLA WE 28 MATSHI 2018

RESOLVED that

the report be noted.

Meeting: Mayco – 18/04/2018 Ref No: 9/1/1/4 Coll Nr: 1296881		Submitted by Department: Financial Services Author/s: A Abrahams Referred from:			
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:		

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11.5 MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 71 AND 52 MONTHLY AND QUARTERLY BUDGET MONITORING REPORT FOR MARCH 2018

MUNISIPALE FINANSIËLE BESTUUR: ARTIKEL 71 EN 52 MAANDELIKSE EN KWARTAALLIKSE BEGROTING VERSLAGDOENING VIR MAART 2018

UMTHETHO WOKULAWULWA KWEMALI ZIKAMASIPALA: ICANDELO 71 NGOKWEKOTA KUNYE NECANDELO 52 NGENYANGA INGXELO YOKONGAMELA KOHLAHLO LWABIWO MALI YENYANGA KA MATSHI 2018

RECOMMENDED that

- 1. It be noted that the variance between the actual operating revenue (R1,581,732,367) and the pro rata budgeted operating revenue (R1,581,627,550) has a positive variance of R104,817 or 0.01%;
- 2. It be noted that the variance between the actual operating expenditure (R1,312,697,414) and the pro rata budgeted operating expenditure (R1,316,059,839) has a positive variance of R3,362,426 or 0.26%;
- 3. It be noted that the actual capital expenditure of R406,025,877 and the pro rata budgeted capital expenditure of R422,530,480 realised underspending of R16,504,603 or 3.91%;
- It be noted that the actual capital expenditure of R406,025,877 represents 51.51% of the total capital budget of R788,226,581 after nine months of the financial year;
- It be noted that the actual and committed capital expenditure of R673,738,948 compared with the capital expenditure budget of R788,226,581 represent a spending percentage of 85.48% after nine months of the financial year;
- 6. It be noted that external borrowings amounted to R1,345,349,326 as at 31 March 2018 and that it represents 67.92% of Drakenstein's total budgeted operating revenue of R1,980,824,421 for the 2017/2018 financial year;
- 7. It be noted that unspent conditional and unconditional grants amounted to R155,410,870 at the end of March 2018;
- 8. It be noted that the actual employee related cost expenditure of R386,054,802 compared with the pro rata budgeted expenditure of R385,605,239 relates to a negative variance of R449,563 or Ø.12%:

- It be noted that total outstanding debtors as at 31 March 2018 amounted to R341,760,108 and that 30 days and older debt constitutes 62.9% of total outstanding debtors;
- 10. It be noted that domestic consumers owe the municipality R237,747,104 or 69.6% of the municipality's total debtor's book;
- 11. It be noted that outstanding creditors amounted to R2,117,290 as at 31 March 2018;
- 12. It be noted that the primary bank account had a positive bank balance at 31 March 2018 which amounted to R95,402,192; and
- 13. It be noted that total investments in cash and shares amounted to R219,157,453 as at 31 March 2018 at the five local banks and Eskom.

Meeting: Mayco – 18/0 Ref No: 9/1/1/4 Coll No: 1296375 x 1	295902	Submitted by Department: Author/s: Referred from:	Financial Services A Viola
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-13	Implement decision	CFO	

11.6	NOTIFICATION OF MONTHLY TENDER AWARDS: MARCH 2018
	TENDERTOEKENNINGS VIR MAART 2018
	ISAZISO SONIKEZELO LWETHENDA: MATSHI 2018

RECOMMENDED that

- The awards above R200,000 that were adjudicated by the Bid Adjudication Committee and the City Manager for the month of March 2018, be noted; and
- The tenders and/or contracts and the reasons for the awards as recorded by the Accounting Officer as attached to the departmental report, be noted.

Meeting: Mayco – 18/04/2018 Ref No: 8/1/2/1 x 9/1/1/5 Coll No: 1295941		Submitted by Department: Financial Services Author/s: H Vergotine Referred from:		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:	

A 6

11.7 REPORT ON DEVIATIONS AND RATIFICATION OF MINOR BREACHES FROM THE PROCUREMENT PROCESSES: MARCH 2018

VERSLAG VAN AFWYKINGS EN RATIFIKASIE VAN GERINGE OORTREDINGE VAN DIE

VERKRYGINGSPROSESSE: MAART 2018

INGXELO YOKUPHAMBUKELA KUNYE NOLUNGISO OLUNCINCI LOKUPHEPHELA KWINKQUBO ZOKUFUMANA: MATSHI 2018

RECOMMENDED that

- In terms of paragraph 36(2) of the SCM Policy, the deviations and the reasons for the deviations for the amount of R25,218,384 for March 2018 as recorded by the Accounting Officer under the annexures attached to the departmental report, be noted; and
- 2. The Chief Financial Officer record the accumulated deviation amount of R52,564,490 for the financial year in the notes to the 2017/2018 annual financial statements as required by legislation.

Meeting: Mayco – 18/04/2018 Ref No: 9/1/1/5 Coll Nr: 1295936		Submitted by Department: Author/s: Referred from:	Financial Services H Vergotine
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

12. URGENT MATTERS

None.

13. CONFIDENTIAL MINUTES

13.1 MUNICIPAL EMPLOYEES OUTSTANDING DEBT REPORT AS AT 31 MARCH 2018

See Confidential Minutes.

The meeting ended as	t 10:50.
CHAIRPERSON:	
DATE:	***************************************
Confirmed on	with/without amendments.



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www.drakenstein.gov.za

records@drakenstein.gov.za

Civic Centre, Berg River Boulevard, Paarl 7646

Mayoral Committee Attendance Register

Date: 18 APRIL 2018

Time: 10:00

Venue: Council Chambers

SURNAME	INITIALS	TITLE	CELL BUILDING	
POOLE		TITLE	CELLPHONE	SIGNATURE
Executive Mayor	Cl	MR	0785304285	0-
Excentive mayor			0824979046	PRESENT.
COMBRINK	GC	MR		
I Jty Executive Mayor	30	1411/	0824553445	
(Financial Services)			002.4333443	guts.
LE ROUX	JF	MR		=0
(Engineering Services)			0834595965	- Therene
ANDREAS	MA	MS		112
(Rural Management)			0,767901066	1000
JACOBS (Cariolic Parameter)	F	MS		
(Social Services)			0837600466	-teco
KEARNS	С	MS	0765018441	3
(Environment, Parks and Open Spaces)			0769406614	(ID)
MILLER			0703400014	Mearn
(Planning and Development)	J	MR	000445555	3 -
MOKOENA	LP	0.00	0834400507	7110
(Corporate Services)	LP	MS	0724109674	200
SMUTS	R	MR	0734198671	(32)
(P. 'lic Safety)		IVIK	0824948467	Smuto.
VAN NIEKERK	LT	MS	002.7540707	
(Sport, Recreation, Arts and Culture)		,,,,,	0818858365	M. Morkey.
VAN NIEUWENHUYZEN	RH	MR	0826296239	9
(Communication and Inter-			30000000	1
Governmental Relations (IGR)				Ken
WILLEMSE	L	MS	0820799421	
(Human Settlements and Property Management)				Q.11.
STOWMAN				LUGE
SPEAKER	AC	MR	0791895359	10000 0000
KOEGELENBERG	P.4			Aforosy
CHIEF WHIP	RA	MR	0832693138	Jeong while
MATTHEE	J	AAD		
CHAIRMAN: MPAC	J	MR	0824486180	0000
RICHARDS	AM	MR	002700000	MISEN!
LEADER OF OPPOSITION	AIVI .	IVIK	0827860053	RESENT
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Office of the / Kantoor van die-CHIEFWHIP / HOOFSWEEP

CHr / Rdl R.A. KOEGELENBERG

Drakenstein

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A city of annually

SURNAME	INITIALS	TITLE	CELLPHONE	SIGNATURE
Cul W. Weyer				PRESENT.
/				

A Co