



**ORDINARY MEETING OF THE COUNCIL**

**GEWONE VERGADERING VAN DIE RAAD**

**INTLANGANISO YESIQHELO YEBHUNGA**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 29 AUGUST / AUGUSTUS /  
AGASTI 2018**

**VENUE / PLEK / INDAWO : BANQUETING HALL /  
BANKETSAAL**

**CIVIC CENTRE / BURGERSENTRUM / IZIKO LOLUNTU  
HERMANUS**

**TIME / TYD / IXESHA: 15:30**

# OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

## MINUTES OF THE COUNCIL MEETING HELD IN THE **BANQUETING HALL**, CIVIC CENTRE, HERMANUS, ON **29 AUGUST 2018**, AT **15:30**

**PRESENT:** Councillors were present as per attached attendance register.


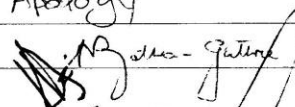

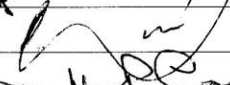
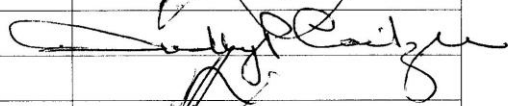

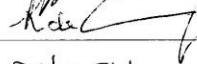
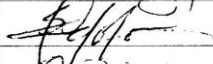
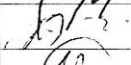
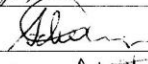
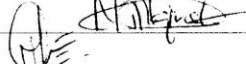

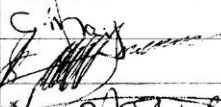


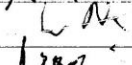


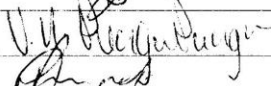
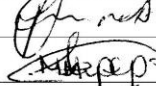
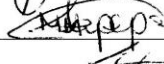


**OFFICIALS PRESENT:** Ms D Arrison, Acting Municipal Manager  
Ms S Reyneke-Naudé, Director : Finance  
Mr N Michaels, Director : Protection Services  
Mr R Williams, Director : Community Services  
Mr S Müller, Director : Infrastructure & Planning  
Mr S Madikane, Director : LED  
Mr L Smith, Chief: Fire & Rescue & Disaster Management  
Mr R Kuchar, Senior Manager : Town Planning  
Mr F Myburgh, Senior Manager : Gansbaai Administration  
Mr D Lakey, Senior Manager : Kleinmond Administration  
Ms R Louw, Senior Manager : Strategic Services  
Ms S Block, Administrator : Strategic Services  
Ms M Erasmus, Administrative Officer : Property Administration  
Mr G Smit, Manager : Social Development  
Ms H van Tonder, Manager : Council Support Services  
Ms S Swart, Administrative Officer : Council Support Services  
ICT  
Ms R Steenekamp, Social Media & Media Liaison Officer  
Ms M de Villiers, Mayoral Committee Secretary  
Ms D Laing, Relief Clerk Grade 2

**ALSO PRESENT:** Members of the Public

**MINUTES/....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

COUNCIL MEETING  
29 AUGUST 2018

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F	
BOTHA, D	Apology
BOTHA-GUTHRIE, N	
BRICE, KD	
COETSEE, A	
COETZEE, DP	
COHEN, G	
DE CONING, CA	
GILLION, E	Apology
KALOLO, SV	
KOMANI, AS	
KRIGE, F	
NQINATA, NNT	
MACOTHA, VC	
MAY, C	
MOLEFE, B	
MSWELI, X	
NTSABO, L	
OPPERMAN, M	
ORBAN, J	
PUNGUPUNGU, V	
RESANDT, C	
SAPEPA, NM	
TAFU-NWONKWO, CC	
TEBELE, S	

**1. OPENING**

The Speaker, Ald A Coetsee, welcomed those present especially the members of the Junior Town Council. He afforded 30 seconds for silent prayer. The Acting Municipal Manager, Ms D Arrison, read the convening notice.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

**Cllr E Gillion**

**RESOLVED**

that the above-mentioned application for leave of absence, **be granted.**

**Cllr D Botha**

**RESOLVED**

that the above-mentioned application for leave of absence, **be granted.**

**3. CONFIRMATION OF MINUTES**

- 3.1 Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 27 June 2018 at 11:00**

**RESOLVED**

that the Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 27 June 2018 at 11:00, be confirmed.**

- 3.2 Minutes of a **Special Meeting** of the **Council** held on **Wednesday, 25 July 2018 at 11:00**

**RESOLVED**

that the Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 25 July 2018 at 11:00, be confirmed.**

- 3.3 Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 22 August 2018** at **11:30**

**RESOLVED**

that the Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 22 August 2018** at **11:30, be confirmed.**

**4. STATEMENTS AND COMMUNICATIONS BROUGHT FORWARD BY THE SPEAKER / EXECUTIVE MAYOR**

The Executive Mayor, Ald D Coetzee, welcomed the Mayor of the Junior Town Council as well as members of the Junior Town Council.

The Speaker, Ald A Coetsee, congratulated Cllr S Tebele who received his degree in Public Administration.

**5. CONSIDERATION OF RECOMMENDATIONS MADE BY THE EXECUTIVE MAYOR TO COUNCIL, IN TERMS OF SECTION 160(2) OF THE CONSTITUTION, 1996, AND SECTION 59(1)(a) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT 2000 (ACT 32 OF 2000)**

**5.1  
TIME SCHEDULE FOR THE 2019/20 INTEGRATED DEVELOPMENT PLAN (IDP)  
REVIEW / BUDGET PROCESS**

**(ITEM 1, PAGE 1 : MANAGEMENT SERVICES PORTFOLIO -  
MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the schedule of key dates for the 2019/20 compilation of an IDP review / Budget process **be noted.**

**RESPONSIBLE OFFICIAL :**

**RG LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**3 SEPTEMBER 2018**

**5.2**

**REVIEW OF DISASTER MANAGEMENT POLICY**

**(ITEM 2, PAGE 15 : PROTECTION SERVICES, ECONOMIC DEVELOPMENT & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the Disaster Management Policy be **noted**.

**RESPONSIBLE OFFICIAL :**

**L SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**29 AUGUST 2018**

**5.3**

**REVIEW OF THE OVERSTRAND MUNICIPALITY DISASTER MANAGEMENT PLAN**

**(ITEM 3, PAGE 33 : PROTECTION SERVICES, ECONOMIC DEVELOPMENT & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the Overstrand Municipality Disaster Management Plan **be adopted.**

**RESPONSIBLE OFFICIAL :**

**L SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**1 AUGUST 2018**



**5.4**

**FIRE SERVICE MANAGEMENT PLAN 2015 - 2020**

**(ITEM 4, PAGE 127 : PROTECTION SERVICES, ECONOMIC DEVELOPMENT & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the Overstrand Municipality Fire Management Plan **be noted**.

**RESPONSIBLE OFFICIAL :**

**L SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**29 AUGUST 2018**

**5.5****ZWELIHLE: PROPOSED TRANSFER OF PROPERTIES TO ORIGINAL OWNERS WHO LOST IT THROUGH AN EXECUTION SALE****(ITEM 2, PAGE 7 : COMMUNITY SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)****RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

1. that Council approval dated 28 January 2003 with regard to the confiscation of houses **be amended** to read as follows: "that the houses that were confiscated and bought on an execution sale by the municipality, be transferred back to the present occupants at a value equal to the municipal value of properties, in the following manner:
  - 1.1 that transfers be effected to original property owners currently occupying properties, namely erf numbers: 337, 350, 356, 361, 371, 403, 644 and 1509, Zwelihle;
  - 1.2 that, in the absence of the original owners, the housing opportunity be considered for immediate family members, and other third parties on a case by case bases, to be considered by the Executive Mayor, namely erf numbers 332, 336, 358, 396, 440, 477, 524, 530, 642 and 1480, Zwelihle;
2. that the respective beneficiaries remain responsible for outstanding municipal services accounts, subject to council's consent to transfer the properties;
3. that recommendation number two (2) of Council approval dated 28 January 2003 that reads as follows : "That a bond be registered in favour of the municipality for the full outstanding purchase price" **be rescinded**;
4. that the payment of conveyancing fees by Council for the transfer of the mentioned properties **be approved**;
5. that the list of original owners and current occupants of the properties sold on auction **be noted**; and
6. that the discussion of the pre-emptive right with regard to the possible repossession of low cost housing properties, **be noted**.

**RESPONSIBLE OFFICIAL :****FW FRANS****TARGET DATE FOR IMPLEMENTATION :****01 JULY 2018**

**5.6**

**HERMANUS: PORTION OF ERF 832, REBATE ON RENTAL TO BE RAISED, BIENTANG'S CAVE CC**

**(ITEM 2, PAGE 104 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)**

**THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 15:55**

**THE MEETING RESUMED AT 16:07**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

1. that a rebate in the rental payable by Bientang's Cave CC to an amount of R25,101.22 (twenty five thousand one hundred and one rand and twenty two cents) (VAT excluded) per month for a period of 8 (eight) months from 1 February 2018, **be approved**; and
2. that no further applications for rebates of rental will be considered during the current construction related to the upgrade of the sewerage pump station and the sewerage system at Bientang's Cave.

**RESPONSIBLE OFFICIAL :**

**M ERASMUS**

**TARGET DATE FOR IMPLEMENTATION :**

**13 SEPTEMBER 2018**

**TARGET DATE TO INFORM APPLICANT :**

**N/A**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

**5.7**

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)  
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR JULY 2018**

**(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING : 29 AUGUST  
2018)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for July 2018, **be noted**; and
2. that the awards made in terms of Paragraph 16(1)(b) and 17(1)(c), approved in terms of the delegated authority for July 2018, **be noted**.

**RESPONSIBLE OFFICIAL :****C LE ROUX****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

**5.8**

**SUBMISSION OF THE DRAFT UNAUDITED ANNUAL REPORT FOR THE FINANCIAL YEAR 2017/18**

**(ITEM 6, PAGE 6 : MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the tabling of the 2017/18 **DRAFT** unaudited Annual Report **be noted**.

**RESPONSIBLE OFFICIAL :**

**R LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**NONE**

**5.9**

**WRITING OFF OF NON-TECHNICAL WATER AND ELECTRICITY LOSSES**

**(ITEM 7, PAGE 12 : MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

1. that the non-technical electricity losses to the value of R212 633.52 for the 2017/18 financial year be written off; and
2. that the non-technical water losses to the value of R1 786 269.30 for the 2017/18 financial year be written off.

**RESPONSIBLE OFFICIAL :**

**BA KING**

**TARGET DATE FOR IMPLEMENTATION :**

**31 AUGUST 2018**

**5.10****FIXED ASSETS: DISPOSAL / DERECOGNITION OF ASSETS FOR THE 2017/18 FINANCIAL YEAR****(ITEM 8, PAGE 27 : MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)****RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

1. that it **be noted** that the assets detailed in Annexure A to the item are not needed to provide the minimum level of basic municipal services;
2. that the Minor Assets and Control Items written off and sold on Public Auction as detailed in Annexure A and Annexure B to the item **be noted**; and
3. that the derecognition of the Infrastructure Assets as detailed in Annexure A to the item **be approved**.

**RESPONSIBLE OFFICIAL :****J VORSTER****TARGET DATE FOR IMPLEMENTATION :****31 AUGUST 2018**

**5.11****CONTRACT SC 1817/2017: PROPOSED AMENDMENT: RE-ELECTRIFICATION OF MANDELA SQUARE, ZWELIHLE, HERMANUS****(ITEM 9, PAGE 40 : MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)****THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 16:20****THE MEETING RESUMED AT 16:30****RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

1. that **cognisance be taken** of the reasons for the proposed amendment of Contract number SC1817A/2017: Re-electrification of Mandela Square, Zwelihle, Hermanus, in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the amendment be consented to: for the purpose of electrifying the emergency housing project in Zwelihle; and
2. that **cognisance be taken** that no written comments or representations were received from the local community by closing date, 13 August 2018.

**RESPONSIBLE OFFICIAL :****J DU PLESSIS  
C ROETS****TARGET DATE FOR IMPLEMENTATION :****31 AUGUST 2018**



**5.12**

**MUNICIPAL REGULATIONS ON A STANDARD CHART OF ACCOUNTS (mSCOA): PROGRESS ON STATUS OF THE mSCOA IMPLEMENTATION PROJECT**

**(ITEM 10, PAGE 50 : MAYORAL COMMITTEE MEETING : 29 AUGUST 2018)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the mSCOA Progress Report for the implementation of the mSCOA Regulations be noted.

**RESPONSIBLE OFFICIALS:**

**S REYNEKE-NAUDE  
C LE ROUX  
B KING  
E HOONEBERG  
H VORSTER**

**TARGET DATE FOR IMPLEMENTATION :**

**1 SEPTEMBER 2018**

**5.13****REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
FOURTH QUARTERLY REPORT: APRIL - JUNE 2018****(ITEM 11, PAGE 56 : MAYORAL COMMITTEE MEETING : 29 AUGUST  
2018)****RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

1. that the content of the revised report for the fourth quarter of the 2017/2018 financial year on the top level Service Delivery and Budget Implementation Plan **be noted**; and
2. that the amendments to the Departmental and Top layer SDBIP for the fourth quarter of the 2017/2018 financial year **be approved**.

**RESPONSIBLE OFFICIAL :****R LOUW****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

**6. CONSIDERATION OF REPORTS****6.1****INVESTIGATION INTO THE INSTANCE OF IRREGULAR EXPENDITURE:  
SCIE 2018/002: NON-COMPLIANCE WITH SUPPLY CHAIN MANAGEMENT  
POLICY WITH REGARDS TO THE PROVISION OF ELECTRICITY TO THE OFFICE  
CONTAINER AT KLEINMOND SLIPWAY****3/2/3/8****D Lakey/H van Tonder  
12 Junie 2018****(028) 271-8413****Kleinmond Administration**

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**EXECUTIVE SUMMARY**

The purpose of this report is to provide the necessary information and to request Council's approval for the writing off of the expenditure in terms of section 32(2)(b). This report contains the following in relation to SCIE 2018/002, for last-mentioned purposes:

- a) Detailed background and reasons for the incurrence of the expenditure,
- b) Corrective steps which have been implemented to mitigate the risk of such an occurrence in the future.

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that, in view of the municipality having received value for money, the irregular expenditure in the amount of R1 591.92 in lieu of the provision of electricity to the office container at Kleinmond Slipway, be certified as irrecoverable and written off in terms of section 32(2)(b) of the Local Government: Municipal Finance Management Act, Act 56 of 2003.

**RESPONSIBLE OFFICIAL :****C LE ROUX  
B KING****TARGET DATE FOR IMPLEMENTATION :****14 SEPTEMBER 2018**

**7. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER (IF ANY)**

None

**8. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS**

None

**9. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)**

None

**The meeting adjourned at 16:34**

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**DATE**

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**THE SPEAKER – A COETSEE**