



**SPECIAL MEETING OF THE COUNCIL**

**SPEZIALE VERGADERING VAN DIE RAAD**

**INTLANGANISO EKHETHEKILEYO YEBHUNGA**

**MINUTES / NOTULE**

**IMIZUZU**

**DATE / DATUM / UMHLA : 29 JULY/JULIE/JULAYI 2015**

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

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

**TIME / TYD / IXESHA: 11:00**

# OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

## MINUTES OF A SPECIAL MEETING OF THE COUNCIL HELD IN THE BANQUETING HALL, CIVIC CENTRE, HERMANUS, ON 29 JULY 2015, AT 11:00

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

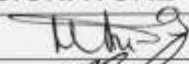




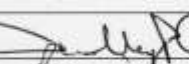



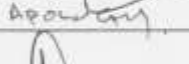


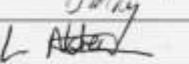
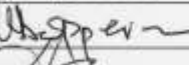

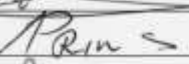

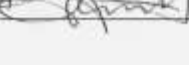
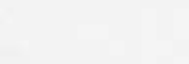





**OFFICIALS PRESENT:** Mr C Groenewald, Municipal Manager  
Mr S Müller, Director : Infrastructure & Planning  
Mr N Michaels, Director : Protection Services  
Mr R Williams, Director : Community Services  
Ms D Arrison, Director : Management Services  
Ms S Reyneke-Naude, Director : Finance  
Mr H Blignaut, Deputy Director : Engineering Services  
Mr C le Roux, Deputy Director : Finance  
Mr F Myburgh, Senior Manager : Gansbaai Administration  
Mr R Kuchar, Senior Manager : Town Planning/ Property Management  
Mr B King, Senior Manager : Financial Services  
Mr M Bartman, Deputy Director : Community Services  
Ms R la Cock, Senior Manager : Supply Chain Management  
IT  
Mr M Potgieter, Manager : Contracts  
Mr J C van der Merwe, Storekeeper  
Ms R Louw, Senior Manager : Strategic Services  
Mr B D'Oliveira, Accountant : Procurement  
Ms H van Tonder, Manager : Council Support Services  
Ms R Steenekamp, PA : Director Management Services  
Ms S Swart, Administrative Officer : Council Support Services  
Ms D Laing, Relief Clerk: Grade 2

**ALSO PRESENT:** Members of the Public

**MINUTES/....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

SPECIAL COUNCIL MEETING  
29 JULY 2015

ALDERMAN/COUNCILLORS	SIGNATURE
ANDREWS, M	
APPELGREIN, P	
BEYERS-CRONJE, L	
BOTHA, D	
BOTHA-GUTHRIE, N	
BRICE, K	
COETSEE, A	
COETZEE, DP	
DE CONING, R	
DYANI M	
GXAMESI, S	
JANUARIE, JJ S	
NQINATA, NNT	
KRIGE, L	
MACOTHA, VC	
MANDINDI, CQ	
MAY, P	
NDEVU, L	
OPPERMAN, M	
PIE, MT	
PONOANE, MV	
PRINS, A	
SAPEPA, NM	
SMITH, RJ	



**1. OPENING**

The Municipal Manager, Mr C Groenewald, read the notice convening the meeting.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

**Cllr L Krige**

**RESOLVED**

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

**Cllr N Nqinata**

**RESOLVED**

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

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

The Executive Mayor, Ald N Botha-Guthrie, reminded councillors of the workshop on the Spatial Planning and Land Use Management Act, No 16 of 2013 (SPLUMA), as well as the Socio-economic Survey for Housing Projects which will take place after this meeting.

The Speaker, Ald A Coetsee, welcomed the officials from the Department of Local Government (Western Cape) who attended the meeting.

**4. 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)**

**4.1**

**ANNUAL STOCK TAKING FOR 2014/2015: MUNICIPAL STORES**

**(ITEM 4, PAGE 1 : SPECIAL MAYORAL COMMITTEE MEETING : 29 JULY 2015)**

**RESOLVED (UNANIMOUSLY):**

1. that the surplus stock be accounted against the appropriate vote numbers;
2. that the redundant stock at Hermanus Store (electrical stock) and Gansbaai Store (water stock) be written off; and
3. that the stock as recorded on 30 June 2015 be taken as the starting balance of the 2015/2016 stock register.

**RESPONSIBLE OFFICIAL :**

**R LA COCK**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

**4.2**

**QUARTERLY BANK ACCOUNT WITHDRAWALS NOT IN TERMS OF AN APPROVED BUDGET**

**(ITEM 5, PAGE 52 : SPECIAL MAYORAL COMMITTEE MEETING : 29 JULY 2015)**

**RESOLVED (UNANIMOUSLY):**

that the consolidated quarterly report in respect of Bank Account Withdrawals not in terms of an Approved Budget for the quarter ended June 2015, **be noted**.

**RESPONSIBLE OFFICIAL :**

**BA KING**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

## 4.3

## QUARTERLY BUDGET REPORT FOR JUNE 2015

**(ITEM 6, PAGE 55 : SPECIAL MAYORAL COMMITTEE MEETING :  
29 JULY 2015)**

**RESOLVED (UNANIMOUSLY):**

that the budget report for the quarter ended June 2015, prepared as part of the financial reporting obligations arising from the Local Government: Municipal Finance Management Act, 2003, **be noted**.

**RESPONSIBLE OFFICIAL :****BA KING****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

## 4.4

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)  
POLICY: PARAGRAPH 36, 16(1)(B) AND 17(1)(C) FOR JUNE 2015**

**(ITEM 7, PAGE 91 : SPECIAL MAYORAL COMMITTEE MEETING :  
29 JULY 2015)**

**RESOLVED (UNANIMOUSLY):**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for June 2015, **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 June 2015, **be noted**.

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



4.5

**SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT – 2014/2015:  
4<sup>th</sup> QUARTER: 01 APRIL TO 30 JUNE 2015**

**(ITEM 8, PAGE 97 : SPECIAL MAYORAL COMMITTEE MEETING :  
29 JULY 2015)**

**RESOLVED (UNANIMOUSLY):**

that **cognisance be taken** of the activities undertaken and outcomes achieved in the implementation of the Overstrand Municipality Supply Chain Management Policy for the 4<sup>th</sup> Quarter of 2014/2015.

**RESPONSIBLE OFFICIAL :**

**R LA COCK**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

## 4.6

**ANNUAL SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT IN TERMS OF PARAGRAPH 6(2)(a) OF THE POLICY: 2014/2015****(ITEM 9, PAGE 107 : SPECIAL MAYORAL COMMITTEE MEETING : 29 JULY 2015)****RESOLVED (UNANIMOUSLY):**

1. that the Supply Chain Management Implementation Report for the 2014/2015 financial year submitted in terms of Paragraph 6 of the Supply Chain Management Policy, **be noted**;
2. that, following the provisions of paragraph 6 of the Supply Chain Management Policy, **the report be made public** in accordance with Section 21A of the Local Government: Municipal Systems Act, No. 32 of 2000; and
3. that **the schedules of Deviations, Irregular Expenditure and cases of Minor Breaches be disclosed as a note to the Annual Financial Statements** for the 2014/2015 financial year.

**RESPONSIBLE OFFICIAL :****R LA COCK****TARGET DATE FOR IMPLEMENTATION :****N/A**

4.7

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)  
POLICY: PARAGRAPH 36, 16(1)(B) AND 17(1)(C), FOR APRIL 2015:  
SUBMISSION OF ADDITIONAL INFORMATION**

**(ITEM 10, PAGE 135 : SPECIAL MAYORAL COMMITTEE MEETING :  
29 JULY 2015)**

**RESOLVED (UNANIMOUSLY):**

that **cognisance be taken** of the explanation regarding the process followed when making an award to “Overberg Agri Bedrywe (Pty) Ltd” for the purchase of pipe clamps 67/70 HD.

**RESPONSIBLE OFFICIAL :**

**R LA COCK**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

4.8

**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
FOURTH QUARTERLY REPORT: APRIL - JUNE 2015****(ITEM 11, PAGE 139 : SPECIAL MAYORAL COMMITTEE MEETING :  
29 JULY 2015)****RESOLVED (UNANIMOUSLY):**

1. that the content of the report for the fourth quarter of the 2014/2015 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 2014/2015 financial year **be approved**.

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

## 4.9

WATER AND WASTE WATER TREATMENT OPERATIONS MANAGEMENT  
CONTRACT: SC1508/2014

(ITEM 12, PAGE 169 : SPECIAL MAYORAL COMMITTEE MEETING :  
29 JULY 2015)

MEMBERS OF THE ANC INDICATED THAT THEY ARE AGAINST THE RECOMMENDATION AND CLLR V MACOTHA MADE A COUNTER PROPOSAL TO THE EFFECT THAT THE MATTER STAND OVER UNTIL PROPER CONSULTATION WAS DONE

CLLR V MACOTHA, ON BEHALF OF THE ANC, REQUESTED THE MEETING TO ADJOURN FOR A CAUCUS AT 11:33

THE MEETING RECONVENED AT 11:47

WHEN PUT TO THE VOTE, 8 MEMBERS VOTED AGAINST THE RECOMMENDATION OF THE EXECUTIVE MAYOR AND 13 MEMBERS VOTED IN FAVOUR OF THE RECOMMENDATION OF THE EXECUTIVE MAYOR. THE RECOMMENDATION OF THE EXECUTIVE MAYOR WAS THUS CARRIED.

CLLR J JANUARY FROM NICO ABSTAINED FROM TAKING PART IN THE CONSIDERATION OF THIS ITEM

**RESOLVED:**

1. that **cognisance be taken** of the responses received to the request for comments, representations, views and recommendations in respect of the contract and granting of the right to use the water and waste water treatment works;
2. that the right to use, control and manage the water and waste water treatment works for the contract period of 15 years to Veolia Water Solutions & Technologies (Pty) Ltd, **be granted**;
3. that the significant economic financial benefit from the contract for the Municipality, **be noted**;
4. that the Contract for the Management of the Operation and Maintenance of the Water and Waste Water Treatment Works in the jurisdiction of Overstrand Municipality, **be approved**; and
5. that the Municipal Manager be authorised to sign the contract on behalf of Overstrand Municipality.

**RESPONSIBLE OFFICIAL :**

**S MÜLLER  
H BLIGNAUT  
M BARTMAN**

**TARGET DATE FOR IMPLEMENTATION :**

**1 SEPTEMBER 2015**

**TARGET DATE TO INFORM APPLICANT :**

**29 JULY 2015**

**4.10****IMPLEMENTATION OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, NO 16 OF 2013 (SPLUMA)****(ITEM 13, PAGE 294 : SPECIAL MAYORAL COMMITTEE MEETING : 29 JULY 2015)****RESOLVED (UNANIMOUSLY):**

1. that, based on the requirements set out in the Spatial Planning and Land Use Management Act, No 16 of 2013, the associated implications thereof and the findings of the Municipality's administrative, professional and financial capacity, Overstrand Municipality be regarded as having the ability to implement Chapter 6 of SPLUMA (Land Development Management);
2. that the implementation date of SPLUMA, being 1 July 2015, be noted;
3. that the contents of the SPLUMA Regulations published on 23 March 2015, be noted;
4. that the municipal capacity assessment that has been undertaken, be noted and that the establishment of a single Municipal Planning Tribunal (MPT) for the Overstrand Municipality, be approved;
5. that the MPT comprises of five members of which four be internal officials and one an external member;
6. that the following municipal officials be appointed to serve on the MPT: Municipal Manager; Director: Infrastructure and Planning; Director: Economic Development and Director: Community Services;
7. that the Municipal Manager; Director: Infrastructure and Planning and Senior Manager: Town- and Spatial Planning be appointed to evaluate the external members to be nominated for the Planning Tribunal;
8. that the external MPT members be remunerated for travel and subsistence only;
9. that an invitation be extended to the National Department of Rural Development and Land Reform and the Provincial Department of Environmental Affairs and Development Planning to serve on the MPT as external members; and

10. that the evaluation panel considers the potential external MPT members in terms of the following criteria and report back with recommendations to Council, for the latter's approval -
- at least 5 years' experience in Spatial Planning and Land Use Management;
  - registered with SACPLAN as professional planner; and
  - extensive experience and knowledge of planning legislation.

**RESPONSIBLE OFFICIAL :**

**R KUCHAR**

**TARGET DATE FOR IMPLEMENTATION :**

**9 SEPTEMBER 2015**



**5. CONSIDERATION OF REPORTS****5.1****ALLEGATIONS OF FINANCIAL MISCONDUCT: EPWP OFFICIALS EMPLOYED IN THE DIRECTORATE: LOCAL ECONOMIC DEVELOPMENT : PARKING MANAGEMENT**

This item was distributed under separate cover to Councillors for consideration.

In terms of Section 20(2) of the Local Government: Municipal Systems Act, No 32 of 2000, read with Rule 17 of the Overstrand Municipality's Standard By-law on Rules of Order for Internal Arrangements, this item must be considered "in committee".

**THE MEETING STOOD DOWN AT 11:55 IN ORDER TO GIVE OFFICIALS AND MEMBERS OF THE PUBLIC THE OPPORTUNITY TO LEAVE THE BANQUETING HALL**

**THE MEETING RECONVENED AT 12:00**

The recommendation under this item shall be minuted in a separate minute book in terms of Section 20(2) of the Local Government: Municipal Systems Act, No 32 of 2000 read with Rule 17 of the Overstrand Municipality's Standard By-law on Rules of Order for Internal Arrangements.

**The meeting adjourned at 12:15**

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**DATE**

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**THE SPEAKER – A COETSEE**