



ORDINARY MEETING OF THE COUNCIL

GEWONE VERGADERING VAN DIE RAAD

INTLANGANISO YESIQHELO YEBHUNGA

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 28 JUNE / JUNIE / JUNI 2023

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

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

TIME / TYD / IXESHA: 10:00

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

**MINUTES OF AN ORDINARY COUNCIL MEETING
HELD IN THE BANQUETING HALL, CIVIC CENTRE,
HERMANUS, ON 28 JUNE 2023 AT 10:00**

PRESENT: Councillors were present as per attached attendance register.

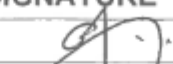


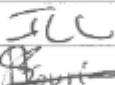
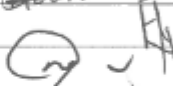

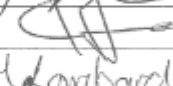

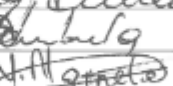

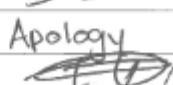








OFFICIALS PRESENT: Mr D O'Neill, Municipal Manager
Ms D Arrison, Director : Management Services
Ms S Reyneke-Naudé, Director : Finance
Mr N Michaels, Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Mr S Madikane, Director : LED
Mr D van der Heerver, Chief Audit Executive
Mr R Kuchar, Senior Manager : Town & Spatial Planning
Mr J Solomons, Senior Manager : Operational Services
Ms A Le Roux, Manager : Property Administration
Ms H van Tonder, Manager : Council Support Services
Ms N Zweni, Manager : Communications
Ms R Steenekamp, Media & Social Media Liaison Officer
Ms K Johnson, Accountant : Budget Office
Mr T Louw, Technical Support : Auditorium
Ms S Swart, Administrative Officer : Council Support Services

ALSO PRESENT: Members of the Public

MINUTES/....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

COUNCIL MEETING
28 JUNE 2023

| ALDERMAN/COUNCILLORS | SIGNATURE |
|----------------------|---|
| AFRICA, F |  |
| BANDEZA, V |  Apology |
| BRICE, KD |  |
| COETZEE, DP |  |
| COHEN, G |  |
| DE CONING, CA |  |
| DEES, RM |  |
| ELS, T | ILL |
| FOURIE, SH |  |
| GILLION, E |  |
| GRIMBEEK, MD |  |
| GWELE, T |  Absent |
| KOMANI, AS |  |
| LERM, CH |  |
| LOMBARD, H | H Lombard |
| NGQANDANA, K |  |
| NOMATITI, M | Asst Deceased: apology |
| NOMBULA, BG |  |
| NQINATA, NNT |  |
| NTSABO, L |  |
| NUTT, R |  |
| RABIE, AL |  |
| RESANDT, CT | ILL |
| SIHLAHLA, M | Apology |
| TAFU-NWONKWO, CC |  |
| VAN STADEN, JA |  |
| WILLIAMS, SH | |

1. OPENING

The Speaker, Cllr G Cohen, opened the meeting and welcomed those present. The Municipal Manager, Mr D O'Neill, read the convening notice and Ald R de Coning opened with prayer.

2. APPLICATIONS FOR LEAVE OF ABSENCE

**Cllr C Resandt
Cllr T Els
Cllr M Nomatiti
Cllr M Sihlahla
Cllr V Bandeza**

RESOLVED:

that the above-mentioned applications for leave of absence **be approved.**

Cllr T Gwele

RESOLVED:

that it be noted that Cllr T Gwele was **absent without leave.**

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of an **Ordinary Meeting** of the **Overstrand Municipal Council** held on **Wednesday, 31 May 2023** at **10:00**

RESOLVED:

that the Minutes of an **Ordinary Meeting** of the **Overstrand Municipal Council** held on **Wednesday, 31 May 2023** at **10:00** **be confirmed.**

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

The Speaker, Cllr G Cohen, informed councillors of the workshops taking place after the council meeting.

Schulphoek Housing Project: the Executive Mayor, Ald A Rabie, requested the Municipal Manager to report on the progress of the appeal process. - Noted

Recess : 28 June 2023 – 8 July 2023 - Noted

The Executive Mayor, Ald A Rabie, reported on the progress with the valuation roll objections. – Noted

The Executive Mayor, Ald A Rabie, reminded councillors and the public that the 2023/24 tariffs will be effective from 1 July 2023. – Noted

The Executive Mayor, Ald A Rabie, thanked the Provincial Department of Community Safety for the four (4) news vehicles received. – Noted

THE MEETING STOOD DOWN AT 10:11 IN ORDER TO ALLOW THE PUBLIC AND OFFICIALS TO LEAVE THE BANQUETING HALL

THE MEETING RESUMED AT 10:12 IN ORDER TO APPROVE CONFIDENTIAL ITEM 6.7: WRITING OFF OF IRRECOVERABLE DEBT AS PART OF THE COUNCIL MINUTES OF 31 MAY 2023

THE MEETING STOOD DOWN AT 10:15 IN ORDER FOR THE PUBLIC AND OFFICIALS TO REJOIN THE MEETING

THE MEETING RESUMED AT 10:16

The Speaker, Cllr G Cohen, informed the meeting that the order of business will be changed in order to deal with supplementary item 6.9, which will be considered *in committee*, after all items on the agenda have been dealt with.

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
RED TAPE REDUCTION FOR EASE OF DOING BUSINESS**

**(ITEM 2 PAGE 7 : LOCAL ECONOMIC DEVELOPMENT PORTFOLIO -
MAYORAL COMMITTEE MEETING : 21 JUNE 2023)**

Cllr C Lerm proposed (seconded by Cllr L Ntsabo) that a new recommendation 2 be added. It was then

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

1. that the initiative for ease of doing business **be approved** and implemented;
and
2. that the function only be implemented after finalisation of the organogram.

RESPONSIBLE OFFICIAL :

S MADIKANE

TARGET DATE FOR IMPLEMENTATION :

IMMEDIATELY

5.2**MIGRATION AND POPULATION DYNAMICS****(ITEM 3 PAGE 69 : LOCAL ECONOMIC DEVELOPMENT PORTFOLIO
- MAYORAL COMMITTEE MEETING : 21 JUNE 2023)****RESOLVED (SUPPORTED BY 21 COUNCILLORS):**

that the report/presentation **be noted** and considered in the planning and budgeting sphere.

RESPONSIBLE OFFICIAL :**S MADIKANE****TARGET DATE FOR IMPLEMENTATION :****IMMEDIATELY**

5.3

ERF 1179 HAWSTON: RECOMMENDATION TO USE THE PROPERTY AS AN EXTENSION OF THE HAWSTON THUSONG CENTRE

(ITEM 4 PAGE 223 : INVESTMENT & INFRASTRUCTURE PORTFOLIO - MAYORAL COMMITTEE MEETING : 21 JUNE 2023)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that the item **be withdrawn** and resubmitted at the next council meeting in July 2023.

| | |
|--|---------------------|
| RESPONSIBLE OFFICIAL : | M ERASMUS |
| TARGET DATE FOR IMPLEMENTATION : | 30 JULY 2023 |
| TARGET DATE TO INFORM APPLICANT : | 15 JULY 2023 |
| TARGET DATE TO INFORM OBJECTOR : | N/A |

5.4

IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF ERF 3048 BETTYS BAY, ADJACENT TO ERF 3196 BETTY'S BAY, SITUATED ON THE CORNER OF ROCKWAY DRIVE AND PEARL DRIVE, BETTY'S BAY, TO L R MCCANN

(ITEM 5 PAGE 230 : INVESTMENT & INFRASTRUCTURE PORTFOLIO - MAYORAL COMMITTEE MEETING : 21 JUNE 2023)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

1. that the direct alienation of a portion of Erf 3048 Betty's Bay ($\pm 155\text{m}^2$ in extent) adjacent to Erf 3196 Betty's Bay, situated on the corner of Rockway Drive and Pearl Drive, Betty's Bay, to the owner of the adjoining property to retain an encroachment, for gardening purposes and the erection of a fence / boundary wall, at an amount of R350.00/m² (three hundred and fifty Rand alone) per square metre (VAT excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as the said portion of Erf 3048 Betty's Bay can be classified as a non-viable property;
3. that, subject to the approval in 1 above, a public participation process be followed at the cost of the applicant/purchaser;
4. that it be noted that a condition for the alienation will be that the said portion of Erf 3048 Betty's Bay must be consolidated with the adjoining property of applicant/purchaser, being Erf 3196 Betty's Bay, simultaneous with the registration of the transfer;
5. that a condition be registered against the title deed of the to be consolidated property that the portion of property envisaged to be transferred may only be used for gardening purposes and no structures, excluding the existing encroachment and a boundary fence or wall, may be erected thereon;
6. that the alienation of said portion of Erf 3048 Betty's Bay be subject to a suspensive condition that the applicant/purchaser obtains approval for all the required land use rights, which may include, the partial closure of a road, rezoning, subdivision and consolidation;
7. that all the costs pertaining to the transaction, e.g. application costs, valuation costs, closure, rezoning, subdivision and consolidation, advertisement and the related costs, etc. be paid by the applicant/purchaser;
8. that it be noted that there no economic and community value will be received in exchange for the portion of municipal property; and

9. that it be noted that the municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL:

R MARINUS

TARGET DATE FOR IMPLEMENTATION:

12 JULY 2023

TARGET DATE TO INFORM APPLICANT:

5 JULY 2023

TARGET DATE TO INFORM OBJECTOR:

N/A

5.5

**ERF 6119 HERMANUS – OLD HARBOUR MUSEUM: CONDITION B(a) –
CONSENT FOR ADDITIONAL USE OF PROPERTY**

**(ITEM 8 PAGE 260 : INVESTMENT & INFRASTRUCTURE
PORTFOLIO - MAYORAL COMMITTEE MEETING : 21 JUNE 2023)**

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that the deviation from condition B(a) as contained in Title Deed number T10445/1983 2014 to accommodate tourist facilities in the form of restaurants, **be approved**, subject thereto that the required land use planning approvals are obtained.

| | |
|---|---------------------|
| RESPONSIBLE OFFICIAL : | A LE ROUX |
| TARGET DATE FOR IMPLEMENTATION: | 28 JULY 2023 |
| TARGET DATE TO INFORM APPLICANT: | 28 JULY 2023 |
| TARGET DATE TO INFORM OBJECTOR: | N/A |

5.6**OVERSTRAND MUNICIPALITY: BY-LAW RELATING TO THE KEEPING OF DOGS AND CATS****(ITEM 1 PAGE 1 : COMMUNITY SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 21 JUNE 2023)****RESOLVED (SUPPORTED BY 21 COUNCILLORS):**that the Overstrand Municipal Keeping of Dogs and Cats By-Law **be approved.****TARGET DATE FOR IMPLEMENTATION :****AFTER PROMULGATION IN
THE GOVERNMENT
GAZETTE****RESPONSIBLE OFFICIALS :****AREA MANAGERS:
KLEINMOND
GANSBAAI, HERMANUS
SENIOR MANAGER: LAW
ENFORCEMENT & TASK
TEAM**

5.7

TASK JOB EVALUATION POLICY

**(ITEM 1 PAGE 1 : MANAGEMENT SERVICES PORTFOLIO -
MAYORAL COMMITTEE MEETING : 21 JUNE 2023)**

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that the draft TASK Job Policy **be approved.**

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

JUNE 2023

**5.8
REVISED EMPLOYMENT EQUITY POLICY**

**(ITEM 2 PAGE 20 : MANAGEMENT SERVICES PORTFOLIO -
MAYORAL COMMITTEE MEETING : 21 JUNE 2023)**

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that the draft Employment Equity Policy **be approved.**

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

JUNE 2023

5.9**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR MAY 2023****(ITEM 1 PAGE 1 : FINANCE & TOURISM PORTFOLIO - MAYORAL
COMMITTEE MEETING : 21 JUNE 2023)****RESOLVED (SUPPORTED BY 21 COUNCILLORS):**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for May 2023, **be noted**;
2. that the awards made in terms of Paragraph 16(1)(b) and 17(1)(c), approved in terms of the delegated authority for May 2023, **be noted**; and
3. that the awards made through the Bid Committee system, and formal written price quotations in excess of R30 000 and all price quotations below R30 000 for May 2023, **be noted**.

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

5.10

PROPOSED AMENDMENT OF CONTRACTS: REPLACEMENT OF PROVISION OF GEOGRAPHICAL INFORMATION SYSTEMS (GIS) SERVICES IN THE OVERSTRAND MUNICIPAL AREA FOR A PERIOD ENDING 30 JUNE 2023 AND THE ACQUISITION OF CAPPED ELA LICENSING FEE FOR THE GIS SYSTEM FOR A CONTRACT PERIOD ENDING 30 JUNE 2023

(ITEM 5 PAGE 1 : MAYORAL COMMITTEE MEETING : 21 JUNE 2023)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

1. that cognisance be taken of the proposed amendments of the following contracts:
 - (a) SC1634B/2015 for the GIS Services Level Agreement Contract; and
 - (b) SC1793A/2017 for the GIS Enterprise License Agreement Contract; and
2. that Council consents to these amendments.

RESPONSIBLE OFFICIAL :

L RAUCH

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2023

TARGET DATE TO INFORM APPLICANT:

1 JULY 2023

5.11

PROPOSED AMENDMENT OF TENDER SC 1675C/2016: UPGRADE, MAINTENANCE AND SUPPORT OF OVERSTRAND MUNICIPALITY'S RADIO FREQUENCY NETWORK CONTRACT PERIOD ENDING 30 JUNE 2026

(ITEM 6 PAGE 23 : MAYORAL COMMITTEE MEETING : 21 JUNE 2023)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

1. that **cognisance be taken** that no representations were received from the local community against the intention to amend contract SC1675C/2016; and
2. that **cognisance be taken** of the reasons for the proposed amendment of **Contract Sc 1675c/2016: Upgrade, Maintenance and Support of Overstrand Municipality's Radio Frequency Network**, in terms of the enabling provisions of Section 116 (3) (a) and (b) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), and that the amendment be consented to.

RESPONSIBLE OFFICIAL :**C JOHNSON****TARGET DATE FOR IMPLEMENTATION :****1 JULY 2023**

5.12

PROPOSED AMENDMENT: SC1701C/2016 - SOFTWARE AND WEBSITE FOR CARAVAN PARK / CAMPING RESERVATIONS FOR A CONTRACT PERIOD ENDING 30 JUNE 2025

(ITEM 7 PAGE 33 : MAYORAL COMMITTEE MEETING : 21 JUNE 2023)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

1. that **cognisance be taken** that no representations were received from the local community against the intention to amend contract SC1701C/2016; and
2. that **cognisance be taken** of the reasons for the proposed amendment of **Contract SC 1701C/2016: Services for the Software and Website for Caravan Park / Camping Reservations**, in terms of the enabling provisions of Section 116 (3) (a) and (b) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), and that the amendment be consented to.

RESPONSIBLE OFFICIAL :

C JOHNSON

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2023

5.13

TRIBUNAL: EXTERNAL MEMBERS FOR PLANNING TRIBUNAL

(ITEM 8 PAGE 56 : MAYORAL COMMITTEE MEETING : 21 JUNE 2023)

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

1. that Council retain the status quo for the remaining period; and
2. that, should any interest again be received from the public to serve on the Committee, an Item be submitted to Council to consider a new advert calling for nominations of external members.

RESPONSIBLE OFFICIAL:

R KUCHAR

TARGET DATE FOR IMPLEMENTATION:

3 JULY 2023

**6.1
REPORT OF THE JOINT AUDIT AND PERFORMANCE AUDIT COMMITTEE
(JAPAC) TO THE OVERSTRAND MUNICIPAL COUNCIL**

**DC Van Der Heever
12 June 2023**

Chief Audit Executive

(028) 313 5035

EXECUTIVE SUMMARY

The purpose of the report is to present Council with the Report of the Joint Audit and Performance Audit Committee (JAPAC) in terms of the reporting requirements as per paragraph 3 of the JAPAC Charter, approved by Council on 24 February 2021.

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that the report from the JAPAC to the Overstrand Municipal Council **be noted**.

RESPONSIBLE OFFICIAL :

DC VAN DER HEEVER

TARGET DATE FOR IMPLEMENTATION :

28 JUNE 2023

6.2**REVISION OF EXECUTIVE MAYOR'S SPECIAL FUND POLICY FOR THE OVERSTRAND MUNICIPALITY****S Reyneke-Naude**
19 June 2023**Director : Finance****(028) 313 8040**

EXECUTIVE SUMMARY

The purpose of the report is to present council with the amended Executive Mayor's Special Fund Policy for approval and implementation with effect from 01 August 2023.

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

1. that the Executive Mayor's Special Fund Policy as amended **be approved** and implemented with effect from 01 August 2023; and
2. that a specific policy be designed by the Finance Department for the distribution of care projects funding.

RESPONSIBLE OFFICIAL :**S REYNEKE-NAUDE****TARGET DATE FOR IMPLEMENTATION :****01 AUGUST 2023**

6.3**AMENDMENT TO TARIFFS: 2023/2024 FINANCIAL YEAR****SG Reyneke-Naudé
19 June 2023****Director: Finance****(028) 313 8040**

EXECUTIVE SUMMARY

The purpose of the report is to request Council to approve the following amendments:

- a) a Rates Tariff Code description;
- b) the electricity tariffs approved by Nersa;
- c) sundry tariff description amendment;

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

1. that the property rates rebate of 70%: PR050 - Tariff Code description be amended to PR070;
2. that the final approval by NERSA of electricity tariffs for streetlights be noted;
3. that the description for sundry tariff S40E8 be amended to read as follows:
Meetings: Local CBO's and NGO's per hour;
4. that an advertisement be provided for interested and affected parties to be considered for inclusion in our database as being local CBO's or NGO's; and
5. that the guidelines for the approval of beneficiaries be recommended to Council via the Mayoral Committee.

RESPONSIBLE OFFICIAL :**S REYNEKE-NAUDE
E HOONEBERG
B KING
G SMIT****TARGET DATE FOR IMPLEMENTATION :****01 JULY 2023**

6.4**CONSIDERATION OF INDIGENT POLICY & CUSTOMER CARE, CREDIT CONTROL OF THE OVERSTRAND MUNICIPALITY****S Reyneke-Naude**
20 June 2023**Director : Finance****(028) 313 8040**

EXECUTIVE SUMMARY

The purpose of the report is to present Council with the opportunity to recommend and approve amendments to the Indigent Policy and the Customer Care, Credit Control and Debt Collection Policy for implementation with effect from 1 July 2023.

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that the Indigent Policy and the Customer Care, Credit Control and Debt Collection Policy be approved and implemented with effect from 1 July 2023.

RESPONSIBLE OFFICIAL :**S REYNEKE-NAUDE**
E HOONEBERG**TARGET DATE FOR IMPLEMENTATION :****1 JULY 2023**

6.5**NON-COMPLIANCE WITH CLAUSE 15 OF THE OVERSTRAND MUNICIPALITY
SCM POLICY: SUPPLY OF HARDWARE ITEMS****N Michaels
07 June 2023****Director : Protection Services****(028) 313 8054**

EXECUTIVE SUMMARY

The purpose of this report is to report the expenditure incurred in contravention of Clause 15 of Council's Supply Chain Management (SCM) Policy to Council, in terms of Section 3(1)(b) of the Local Government: Municipal Finance Management Act (56/2003): Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings and/or Section 32 of the Local Government: Municipal Finance Management Act (56/2003).

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that, in view of the municipality having received value for money, irregular expenditure in the amount of R349-99 (Incl. VAT) for the supply of hardware items, 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 :**B KING
C LE ROUX**

6.6**NON-COMPLIANCE WITH PARAGRAPH 17 OF THE OVERSTRAND MUNICIPALITY SCM POLICY: SUPPLY AND DELIVERY OF FOOD FOR EMERGENCY SERVICES****N Michaels
13 June 2023****Director : Protection Services****(028) 313 8054**

EXECUTIVE SUMMARY

The purpose of this report is to report the expenditure incurred in contravention of paragraph 17 of Council's Supply Chain Management (SCM) Policy to the Municipal Public Accounts Committee, in terms of Section 3(1)(b) of the Local Government: Municipal Finance Management Act (56/2003): Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings and/or Section 32 of the Local Government: Municipal Finance Management Act (56/2003).

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

that, in view of the municipality having received value for money, the non-compliance or irregular expenditure in the amount of R22,500-00 (Incl. VAT) for the supply and delivery of food for Emergency Services, be certified 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 :**B KING
C LE ROUX**

6.7**INVESTIGATION INTO THE INSTANCE OF IRREGULAR EXPENDITURE:
SCIE 2022.23.10: NON-COMPLIANCE WITH SUPPLY CHAIN MANAGEMENT
POLICY WITH REGARDS TO: BABOON MANAGEMENT PROGRAMME****S Müller****Director : Infrastructure & Planning****22 December 2022****(028) 313 8019**

EXECUTIVE SUMMARY

This report served before Council on 24 April 2023 where it was withdrawn and requested that a workshop be held for councillors after which the item be resubmitted to Council. A workshop is scheduled for 27 June 2023.

The purpose of this report is to provide the necessary information and to request Council to write off the expenditure in terms of section 32(2)(b). This report contains the detailed background and reasons for the incurrence of the expenditure, when services were rendered in relation to baboon management from July 2022 up to November 2022.

THE DEMOCRATIC ALLIANCE REQUESTED A CAUCUS AT 10:52**THE MEETING RESUMED AT 11:05****THE TWO MEMBERS OF THE FREEDOM FRONT PLUS INDICATED THAT THEY
ARE AGAINST THE RECOMMENDATION**

**WHEN PUT TO VOTE, 14 MEMBERS VOTED IN FAVOUR OF THE
RECOMMENDATION OF THE EXECUTIVE MAYOR, 2 MEMBERS VOTED
AGAINST THE RECOMMENDATION AND 5 MEMBERS ABSTAINED FROM
VOTING. THE RECOMMENDATION OF THE EXECUTIVE MAYOR WAS THUS
CARRIED.**

RESOLVED (SUPPORTED BY 14 COUNCILLORS):

that, in view of the fact that the municipality received value for money, the irregular expenditure to the amount of R2 015 255.07 (Vat Incl) rendered for the management of baboon troops without an official order, 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**

6.8

REPORT ON THE PROPOSED 5TH ADJUSTMENTS BUDGET FOR 2022/2023

BA King

Senior Manager: Financial Services

20 June 2023

(028) 313 8154

EXECUTIVE SUMMARY

Report prepared in terms of Section 29 of the Local Government: Municipal Finance Management Act, 2003 (MFMA) for the 5th Adjustments Budget proposals emanating from unforeseen and unavoidable expenditure, which must be approved by Council in terms of legislation.

RESOLVED (SUPPORTED BY 21 COUNCILLORS):

1. that, in terms of section 29 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the 5th Adjustments Budget for 2022/2023 **be approved** as set out in the following schedules:
 - Schedule 1:** Budgeted financial performance (revenue & expenditure by municipal vote)
 - Schedule 2:** Budgeted financial performance (revenue by source & expenditure by type)
 - Schedule 3:** Budgeted multi-year capital appropriations by standard classification (vote) and associated funding by source
 - Schedule 4:** Budgeted financial position
 - Schedule 5:** Budgeted cash flow
 - Schedule 6:** Cash backed reserves and acc. surplus reconciliation
 - Schedule 7:** Asset management
 - Schedule 8:** Basic service delivery measurement;
2. that the following schedules be noted:
 - Schedule 9:** Budgeted financial performance (revenue & expenditure by standard classification)
 - Schedule 10:** Budgeted capital appropriations by municipal vote
3. that the changes (adjusted financial figures) to the Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23 **be approved**; and
4. that the revised SDBIP for 2022/23 **be made public**.

RESPONSIBLE OFFICIAL :

**BA KING
RG LOUW**

TARGET DATE FOR IMPLEMENTATION :

30 JUNE 2023

THE SPEAKER CHANGED THE ORDER OF BUSINESS AND THIS ITEM WAS CONSIDERED AT THE END OF THE MEETING

THE MEETING STOOD DOWN AT 11:09 TO ALLOW THE PUBLIC AND OFFICIALS TO LEAVE THE BANQUETING HALL

THE MEETING RESUMED AT 11:19

6.9

APPROVAL OF MACRO ORGANISATIONAL STRUCTURE

This item was distributed under separate cover at the meeting.

In terms of Section 20(1) of the Local Government: Municipal Systems Act, No 32 of 2000, read with Rule 17 of the Overstrand Municipality's By-law on Rules of Order for Internal Arrangements, this item was considered "in committee".

The resolutions under this item shall be minuted in a separate minute book in terms of section 20(1) of the Local Government: Municipal Systems Act, No 32 of 2000 read with Rule 17 of the Overstrand Municipality's By-law on Rules of Order for Internal Arrangements.

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 11:30

DATE

THE SPEAKER – G COHEN