



SPECIAL MEETING OF THE COUNCIL

SPESIALE VERGADERING VAN DIE RAAD

INTLANGANISO EKHETHEKILEYO YEBHUNGA

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 17 MAY / MEI / MEYI 2022
AUDITORIUM

TIME / TYD / IXESHA : 12:00

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

MINUTES OF A SPECIAL MEETING OF THE COUNCIL HELD IN THE AUDITORIUM ON 17 MAY 2022, AT 12:00






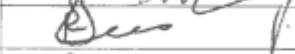





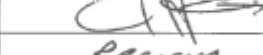
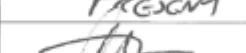
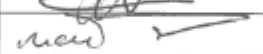
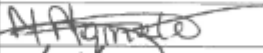




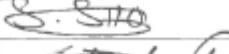


PRESENT: Councillors were present as per attached attendance register.

OFFICIALS PRESENT: Mr D O'Neill, Municipal Manager
Ms D Arrison, Director : Management Services
Mr N Michaels, Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Mr L Smith, Chief: Fire & Rescue & Disaster Management
Ms H van Tonder, Manager : Council Support Services
Ms R Steenekamp, Media & Social Media Liaison Officer
Ms S Swart, Administrative Officer : Council Support Services
Ms N Nomaqhula, General Assistant : Auditorium

MINUTES/....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

SPECIAL COUNCIL MEETING : 17 MAY 2022

ALDERMEN/COUNCILLORS	SIGNATURE
AFRICA, F	
BANDEZA, V	
BRICE, KD	
COETZEE, DP	
COHEN, G	
DE CONING, CA	
DEES, RM	
ELS, T	PRESENT
FOURIE, SH	
GILLION, E	
GRIMBEEK, MD	
GWELE, T	
KOMANI, AS	PRESENT
LERM, CH	
LOMBARD, H	PRESENT
NGQANDANA, K	
NOMATITI, M	PRESENT
NQINATA, NNT	
NTSABO, L	
NUTT, R	
RABIE, AL	
RESANDT, CT	PRESENT
SIHLAHLA, M	
SILO, S	
TAFU-NWONKWO, CC	
VAN STADEN, JA	
WILLIAMS, SH	



1. OPENING

The Speaker, Cllr G Cohen, opened the meeting and the Municipal Manager, Mr D O'Neill, read the notice convening the meeting. Cllr M Sihlahla opened with prayer.

2. APPLICATIONS FOR LEAVE OF ABSENCE

None

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

None

4. CONSIDERATION OF REPORTS

4.1 APPOINTMENT OF WARD COUNCILLORS AND ALTERNATE REPRESENTATIVES: SPECIAL RATING AREAS

3/2/2/1

S Reyneke-Naude

Director Finance

12 May 2022

(028) 313 8040

EXECUTIVE SUMMARY

The purpose of this report is to afford Council an opportunity to appoint councillors to serve as representatives on the Management Bodies of the three (3) Special Rating Areas established in Overstrand.

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the following ward councillors and one other person as an alternate representative for each ward councillor, to attend and participate, but not vote, at the meetings of the three (3) management bodies hereunder, **be appointed**:

- i. Hermanus Special Rating Area : Cllr R Nutt and Cllr C Lerm
- ii. Kleinmond Special Rating Area : Cllr G Cohen and Cllr L Ntsabo
- iii. Onrus-Vermont Special Rating Area : Cllr C Resandt and Cllr S Williams

RESPONSIBLE OFFICIAL :

**S REYNEKE-NAUDE
E HOONEBERG**

TARGET DATE FOR IMPLEMENTATION :

31 MAY 2022

4.2

APPOINTMENT OF COUNCILLORS TO THE BABOON LIAISON COMMITTEES

3/2/2/1

S Muller

Director : Infrastructure & Planning

12 May 2022

(028) 313 8019

EXECUTIVE SUMMARY

The purpose of this report is for Council to appoint councillors to the Overstrand West and Overstrand East Baboon Liaison Committees.

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the following members **be appointed** to the Eastern and Western Baboon Liaison Groups,:

Western Group : Cllr T Els

Eastern Group : Ald K Brice

RESPONSIBLE OFFICIAL :**L DE VILLIERS****TARGET DATE FOR IMPLEMENTATION :****30 JUNE 2022**

4.3

SALGA - MUNICIPAL REPRESENTATIVES ON PROVINCIAL WORKING GROUPS (PWGs)

3/2/2/1

DS Arrison

Director: Management Services

12 May 2022

(028) 313 8001

EXECUTIVE SUMMARY

The purpose of this report is for Council to nominate Councillors to serve as representatives on the different SALGA Provincial Working Groups (PWGs).

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the following Councillors **be nominated** as representatives on the SALGA Provincial Working Groups (PWGs):

- | | |
|--|------------------------------|
| 1. Municipal Capability & Institutional Resilience | Cllr F Africa/Cllr C Resandt |
| 2. Community Development & Security | Cllr S Williams/Cllr R Nutt |
| 3. Governance & Intergovernmental Relations | Dr. A Rabie/Cllr G Cohen |
| 4. Economic Development & Job Creation | Ald E Gillion/ |
| 5. Electricity & Energy, & Public Works | Ald D Coetzee/ |
| 6. Water and Sanitation | Cllr A Komani/ |
| 7. Human Settlements & Urban Agenda | Cllr R Nutt/Cllr S Williams |
| 8. Health | Cllr H Lombard/ |
| 9. Emergency Services & Disaster Management | Cllr L Ntsabo/ |
| 10. Municipal Finance & Fiscal Policy | Dr. A Rabie/Cllr C Resandt |
| 11. Municipal Digital Solutions | Cllr C Resandt/Dr. A Rabie |
| 12. Public Transport & Roads | Cllr L Ntsabo/Ald K Brice |
| 13. Environmental Management & Climate Resilience | Ald R de Coning/ |
| 14. Development Planning & Rural Development | Cllr C Lerm/Cllr A Komani |

2. that the following Councillors **be nominated** as representatives on the Clusters Provincial Working Groups:

- | | |
|--|-----------------------------|
| 1. Municipal Capability & Institutional Resilience | Cllr F Africa/Cllr A Komani |
| 2. • Community Development & Security | Cllr H Lombard/Cllr T Els |
| • Health | |
| 3. Governance & Intergovernmental Relations | Dr. A Rabie/Cllr G Cohen |
| 4. • Economic Development & Job Creation | Ald E Gillion/Cllr C Lerm |
| • Development Planning & Rural Development | |

- | | | |
|----|---|---|
| 5. | <ul style="list-style-type: none"> • Electricity & Energy, & Public Works • Water & Sanitation • Human Settlements & Urban Agenda • Public Transport & Roads • Environmental Management & Climate Resilience | Cllr C Lerm (this group to be discussed with SALGA) |
| 6. | Emergency Services & Disaster Management | Cllr L Ntsabo/Cllr H Lombard |
| 7. | <ul style="list-style-type: none"> • Municipal Finance & Fiscal Policy • Municipal Digital Solutions | Dr. A Rabie/Cllr C Resandt |

The Executive Mayor, Ald A Rabie, requested that nominations of non-DA councillors for the above open positions be submitted to the office of the Speaker by close of business on Thursday, 19 May 2022.

THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 12:13

THE MEETING RESUMED AT 12:27

RESPONSIBLE OFFICIAL :

DS ARRISON

TARGET DATE FOR IMPLEMENTATION :

NOT APPLICABLE

4.4

PROPOSED 2022/23 JDMA PROJECTS FOR OVERSTRAND MUNICIPALITY

2/12/1

RG Louw

Senior Manager: Strategic Services

13 May 2022

(028) 313 8071

EXECUTIVE SUMMARY

The purpose of this report is to present to Council a proposed 2022/23 Joint District and Metro Approach (JDMA) project list for Overstrand Municipality.

The Executive Mayor, Ald A Rabie, requested that the project for the New Sandbaai Technical High School as listed on page 22 of this item to the agenda, not be discussed during the consideration of this matter, but after Item 4.5 Re the Construction of a New Technical School in Sandbaai was dealt with.

The Municipal Manager, Mr D O'Neill, requested that the background for Project 1 under table 2 on page 23 in the item to the agenda, be changed to "Overstrand Wide".

RESOLVED (SUPPORTED BY 27 COUNCILLORS:

that the proposed 2022/23 JDMA project list for Overstrand Municipality **be supported**, subject to the following additions:

- Add 'Crematorium' as Item 7 on page 23 of the item to the agenda; and
- Add 'Regional Hazardous Waste Site' as Item 8 on page 23 of the item to the agenda

The Executive Mayor, Ald A Rabie, requested that all projects on page 23 of the item to the agenda be discussed at the relevant Portfolio Committee meetings.

RESPONSIBLE OFFICIAL :**RG LOUW****TARGET DATE FOR IMPLEMENTATION :****NOTED**

4.5

AMENDMENT OF THE IN PRINCIPLE AND TRANSFER APPROVAL OBTAINED ON 26 AUGUST 2020 FOR THE DIRECT ALIENATION OF A PORTION OF REMAINDER ERF 2825 SANDBAAI (SITUATED IN LONG STREET, SANDBAAI) TO THE WESTERN CAPE GOVERNMENT VIA ITS DEPARTMENT OF TRANSPORT AND PUBLIC WORKS (DEPARTMENT OF EDUCATION) FOR THE CONSTRUCTION OF A NEW TECHNICAL SCHOOL

7/2/3/2

A Le Roux

12 May 2022

Manager: Property Administration

(028) 316 5623

EXECUTIVE SUMMARY

To obtain approval for the amendment of conditions 1,2 and 6 of the Council decision of 26 August 2020 for the direct alienation as well as transfer of a portion of the Remainder Erf 2825 Sandbaai ($\pm 2,6$ ha in extent) (hereinafter called the "property"), situated in Long Street, Sandbaai, to the Western Cape Government via its Department of Transport and Public Works (on behalf of the Department of Education), herein after referred to as "the Department" for the purpose of constructing and establishing a new technical school insofar the type of school.

MEMBERS OF THE AFRICAN NATIONAL CONGRESS, LAND PARTY AS WELL AS THE ECONOMIC FREEDOM FRONT INDICATED THAT THEY ARE AGAINST THE RECOMMENDATION OF THIS ITEM.

WHEN PUT TO THE VOTE 20 MEMBERS VOTED IN FAVOUR OF THE RECOMMENDATION AND 7 AGAINST THE RECOMMENDATION. THE RECOMMENDATION AS CONTAINED IN THIS REPORT WAS THUS CARRIED.

RESOLVED (SUPPORTED BY 20 COUNCILLORS):

1. that conditions 1, 2 and 6 of Council Resolution dated 26 Augustus 2020 be amended to read as follows:
 - (a) 1. that the direct alienation of a portion of Remainder Erf 2825 Sandbaai (± 2.6 ha in extent) to the Western Cape Government via its Department of Transport and Public Works (on behalf of the Department of Education) at a nominal purchase price of R1.00 (ONE RAND) (VAT included) for **community health purposes (excluding a technical school)**, be approved in principle;

- (b) 2. that the transfer of a portion of Remainder Erf 2825 Sandbaai (± 2.6 ha in extent) to the Western Cape Government via its Department of Transport and Public Works (on behalf of the Department of Education) at a nominal purchase price of R1.00 (ONE RAND) (VAT included) for community health purposes (excluding a technical school), **be approved**;
- (c) 6. that a condition be registered against the title deed of the property that the property may only be used for community health purposes (excluding a technical school);
2. that, should the Western Cape Government via its Department of Transport and Public Works (on behalf of the Department of Education) not accept the amendment and subsequently cancel the agreement, the Municipality will be liable for costs incurred insofar the subdivision of the property and the work done by the State Attorney; and
3. that Council is prepared to make suitable land available in the Fisherhaven/Hawston area for the purposes of a technical high school.

RESPONSIBLE OFFICIAL :	A LE ROUX
TARGET DATE FOR IMPLEMENTATION :	PROCESS
TARGET DATE TO INFORM APPLICANT :	6 JUNE 2022
TARGET DATE TO INFORM OBJECTOR :	N/A

THE MEETING STOOD DOWN AT 12:50 IN ORDER TO GIVE THE MUNICIPAL MANAGER, MR D O'NEILL, THE OPPORTUNITY TO LEAVE THE AUDITORIUM

THE MEETING RESUMED AT 12:52

ALD D COETZEE DEALT WITH THIS MATTER, AS HE WAS THE EXECUTIVE MAYOR WHEN MR D O'NEILL WAS APPOINTED AS MUNICIPAL MANAGER

4.6

PRO RATA PERFORMANCE BONUS TO MUNICIPAL MANAGER FOR THE PERIOD 1 NOVEMBER 2020 UNTIL 30 JUNE 2021

2/12/1

D Arrison

Director: Management Services

13 April 2022

(028) 313 8004

EXECUTIVE SUMMARY

The purpose of this report is for Council to approve the payment of a pro rata performance bonus to the Municipal Manager for the 2020/2021 financial year.

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that, in terms of regulation 8(3) of the Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to the Municipal Manager, 2006 (GN R805 dated 1 August 2006), as amended, the payment of a pro-rata bonus equivalent to 9% of the Municipal Manager's all-inclusive remuneration package for the period 1 November 2020 until 30 June 2021 **be approved.**

RESPONSIBLE OFFICIAL :

D ARRISON

TARGET DATE FOR IMPLEMENTATION :

IMMEDIATELY

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

None

6. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

At the time of the closing of the agenda, no notices of motions/questions were received.

None

7. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)

None

The meeting adjourned at 12:53

DATE

THE SPEAKER – G COHEN