



ORDINARY MEETING OF THE COUNCIL

GEWONE VERGADERING VAN DIE RAAD

INTLANGANISO YESIQHELO YEBHUNGA

MINUTES / NOTULE /

IMIZUZU

**DATE / DATUM / UMHLA : 2 DECEMBER / DESEMBER /
DISEMBA 2016**

**VENUE / PLEK / INDAWO : BANQUETING HALL,
BANKETSAAL,
CIVIC CENTRE / BURGERSENTRUM / IZIKO LOLUNTU
HERMANUS**

TIME / TYD / IXESHA: 11:00

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

**MINUTES OF THE COUNCIL MEETING
HELD IN THE BANQUETING HALL, CIVIC CENTRE,
HERMANUS, ON 2 DECEMBER 2016, AT 11:00**

PRESENT/ TEENWOORDIG

Councillors were present as per attached attendance register.

**OFFICIALS PRESENT/
AMPTENARE TEENWOORDIG**

Mr C Groenewald, Municipal Manager
Ms S Reyneke-Naudé, Director : Finance
Mr R Williams, Director : Community Services
Mr S Madikane, Director : LED
Ms D Arrison, Director : Management Services
Mr N Michaels, Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Mr C le Roux, Deputy Director : Finance
Mr F Myburgh, Senior Manager : Gansbaai
Administration
Mr D Lakey, Senior Manager : Kleinmond
Administration
Mr R Kuchar, Senior Manager : Town Planning &
Property Management
Mr B King, Senior Manager : Financial Services
Mr L Smith, Chief : Fire & Rescue & Disaster
Management
Ms E Hooneberg, Senior Manager : Income
Ms S Swart, Administrative Officer : Council
Support Services
Fire Fighters
Mr X Titus, Superintendant : Traffic
Ms R Steenekamp, Media & Social Media
Co-ordinator
Mr A Gcotyelwa, Interpreter
Ms S Carelse, PRO : Executive Mayor



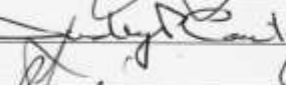


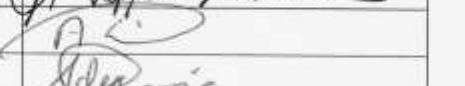
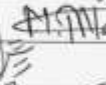

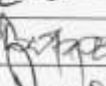


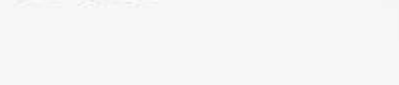
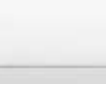



ALSO PRESENT:

Members of the Public

MINUTES/....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

COUNCIL MEETING
2 DECEMBER 2016

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

1. OPENING

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

2. APPLICATIONS FOR LEAVE OF ABSENCE

Cllr D Botha

RESOLVED

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

Cllr A Klaas

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, 26 October 2016 at 11:00****RESOLVED**

that the Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 26 October 2016 at 11:00, be confirmed.**

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

The Speaker, Ald A Coetsee, in terms of his discretion, allowed a question from Cllr S Tebele about the voting rights of Portfolio Committees, as it was not part of the agenda. The Speaker reported that he will be conducting a workshop for Councillors to, inter alia, address this matter. He also mentioned that a Portfolio Committee is a Section 80 committee, which committee's decisions are not final.

The Executive Mayor, Ald R Smith, thanked all Councillors and Officials for their dedicated work and wished all a Blessed and Safe Festive Season.

The Speaker, Ald A Coetsee, in terms of his discretion, added Item 10 to the Agenda, being Christmas wishes by roleplayers.

The Speaker, Ald A Coetsee, reported that he will not proceed with two (2) preliminary hearings against Cllrs L Ntsabo and A Klaas, as well as Cllr V Pungupungu.

The Speaker, Ald A Coetsee, requested Mr L Smith, Chief : Fire & Rescue & Disaster Management, to report on the accomplishments of the Overstrand Fire Department as well as the awards received by various fire-fighters. The Awards which were received at a recent Passing-Out Parade held at Stellenbosch Fire Station, were handed over as follows:

T Mackenzie for "Best Theoretical Student"

J Vivier for "Best Practical Student"

S Mackay for "Most Disciplined Student"

G Philingane for "Most Improved Student"

J Vivier for "Top SA Candidate in IFE Level 3 Certificate Examination 2016"

J Schoeman for "Level 4 Safety Certificate from a UK based Institute of Fire Engineers"

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
WRITING OFF OF IRRECOVERABLE DEBT**

(ITEM 1, PAGE 1 : FINANCE AND ECONOMIC DEVELOPMENT PORTFOLIO - MAYORAL COMMITTEE MEETING : 2 DECEMBER 2016)

RESOLVED (UNANIMOUSLY):

that the irrecoverable debt to the value of R533 490.32 as listed, be written off as bad debt:

A	First time write off – Indigent Households	R118 834.07
B	Indigent water leakages irrecoverable	R342 073.32
C	Final accounts equal or less than R1,500.00	R3 252.64
D	Other irrecoverable Debt	R27 131.49
E	Interest & Collection Administration Fees	R42 198.80
	TOTAL	<u>R533 490.32</u>

RESPONSIBLE OFFICIAL :

EM HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

9 DECEMBER 2016

5.2**OVERSTRAND JUNIOR TOWN COUNCIL FUNDING FOR 2016/17****(ITEM 1, PAGE 1 : MANAGEMENT SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 2 DECEMBER 2016)****RESOLVED (UNANIMOUSLY):**

1. that a deviation from the following restrictions in the Grant-in-Aid Policy **be approved**:
 - (a) no transfer may be made which exceeds R 50,000.00;
 - (b) funding applications will only be considered on an annual basis in response to the annual advertisement; and
 - (c) only applications made on the prescribed form may be considered.
2. that a transfer of R70,000.00 to Enlighten Education Trust for the Management of the Overstrand Junior Town Council, **be approved**.

RESPONSIBLE OFFICIAL:**GG SMIT****TARGET DATE FOR IMPLEMENTATION:****DECEMBER 2016**

5.3

RISK MANAGEMENT IMPLEMENTATION PLAN 2016/2017

**(ITEM 2, PAGE 6 : MANAGEMENT SERVICES PORTFOLIO -
MAYORAL COMMITTEE MEETING : 2 DECEMBER 2016)**

RESOLVED (UNANIMOUSLY):

that the Risk Management Implementation Plan for 2016/2017 **be approved.**

RESPONSIBLE OFFICIAL :

A RIDDLES

TARGET DATE FOR IMPLEMENTATION :

DECEMBER 2016

5.4

ANTI-CORRUPTION AND FRAUD PREVENTION PLAN 2016/2017

**(ITEM 3, PAGE 22 : MANAGEMENT SERVICES PORTFOLIO -
MAYORAL COMMITTEE MEETING : 2 DECEMBER 2016)**

RESOLVED (UNANIMOUSLY):

that the reviewed Anti-Corruption and Fraud Prevention Plan **be approved.**

RESPONSIBLE OFFICIAL :

A RIDDLES

TARGET DATE FOR IMPLEMENTATION :

DECEMBER 2016

5.5

HERMANUS: IN PRINCIPLE APPROVAL FOR THE ALIENATION OF A PORTION OF ERF 243, MOUNTAIN DRIVE, NORTHCLIFF, HERMANUS TO GJ & E FOURIE

(ITEM 5, PAGE 98 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 2 DECEMBER 2016)

RESOLVED (UNANIMOUSLY):

1. that the direct alienation of a portion of Erf 243 Hermanus (adjacent to Erf 4453 Hermanus), ±126m² in extent, for the erection of a boundary wall to the owners of the adjoining erf, Mr GJ & Mrs E Fourie, at an amount of R698.00 (SIX HUNDRED AND NINETY EIGHT RAND PER SQUARE METRE) (VAT excluded) be **approved in principle**;
2. that Council take cognisance of the fact that the direct alienation is only approved as the subject portion of Erf 243 Hermanus is classified as a non-viable property;
3. that the abovementioned approval in principle be subject to a public participation process being followed due to the non-viability of the property;
4. that the subject portion of Erf 243 Hermanus must be consolidated with the adjoining property of Mr GJ & Mrs E Fourie, being Erf 4453 Hermanus;
5. that the alienation of the subject portion of Erf 243 Hermanus, be subject to obtaining the necessary closure, subdivision, rezoning and consolidation approvals;
6. that all the costs pertaining to the transaction, e.g. valuation costs, subdivision, consolidation, closure of public road, rezoning, transfer and related costs, advertisements, etc., be paid by the purchaser;
7. that the purchaser must contact the Electrical Department to point out the position of electrical cables before any trenching commences for the foundation of the wall to be built by the purchaser;
8. that it is confirmed that Council has taken cognisance of the fact that the Municipal property herewith 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); and
9. that the Municipal Manager be authorised to sign all documents relating to the alienation and transfer of the subject portion of Erf 243 Hermanus.

RESPONSIBLE OFFICIAL :

A KOTZE

TARGET DATE FOR IMPLEMENTATION :

PROCESS

TARGET DATE TO INFORM APPLICANT :

9 DECEMBER 2016

TARGET DATE TO INFORM OBJECTOR :

N/A

5.6

GANSBAAI: RESCISSION OF CONDITIONS 2, 3 AND 4 OF COUNCIL RESOLUTION DATED 29 SEPTEMBER 2010 FOR THE ALIENATION OF A PORTION OF ERF 611 GANSBAAI AS WELL AS OBTAINING IN PRINCIPLE APPROVAL FOR THE ALIENATION OF TWO PORTIONS OF ERF 611 GANSBAAI BY MEANS OF A COMPETITIVE PROCESS

(ITEM 6, PAGE 108 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 2 DECEMBER 2016)

RESOLVED (UNANIMOUSLY):

1. that conditions 2, 3 and 4(a) and (b) of Council resolution dated 29 September 2010, **be rescinded**;
2. that the alienation of unregistered Erf 3905 (a portion of Erf 611) Gansbaai (\pm 1ha in extent) and Portion A (a portion of Erf 611) Gansbaai (\pm 1.25ha in extent) by means of a competitive process at a market related purchase price **be approved in principle**;
3. that unregistered Erf 3905 (a portion of Erf 611) Gansbaai be consolidated with Portion A (a portion of Erf 611) Gansbaai at the cost of the purchaser;
4. that all the costs pertaining to the transaction, e.g. section 14 advertisement, consolidation, transfer and related costs, water- and sewer connections (if applicable), bulk services contribution (if applicable), etc., excluding the valuation costs, be paid by the purchaser;
5. that the costs relating to the necessary advertisement in terms of Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003) be paid by the purchaser;
6. that it is confirmed that Council has taken cognisance of the fact that the Municipal property herewith alienated is not required for the provision of basic municipal services in terms of the provisions of Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003); and
7. that the Municipal Manager be authorised to sign all documents relating to the alienation and transfer of unregistered Erf 3905 (a portion of Erf 611) Gansbaai (\pm 1ha in extent) and Portion A (a portion of Erf 611) Gansbaai (\pm 1.25ha in extent).

RESPONSIBLE OFFICIAL :	A KOTZE
TARGET DATE FOR IMPLEMENTATION :	IN PROCESS
TARGET DATE TO INFORM APPLICANT :	N/A
TARGET DATE TO INFORM OBJECTOR :	N/A

5.7**INTEGRATED ENVIRONMENTAL MANAGEMENT SYSTEM: OVERSTRAND MUNICIPALITY****(ITEM 9, PAGE 137 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 2 DECEMBER 2016)****RESOLVED (UNANIMOUSLY):**

1. that the Integrated Environmental Management System consisting of the Integrated Environmental Management Plan for Overstrand Municipality, **be approved**; and
2. that the Integrated Environmental Management System, consisting of the Integrated Environmental Management Plan for Overstrand Municipality be included in the Integrated Development Plan as Sectoral Plan.

RESPONSIBLE OFFICIAL:**P APLON****TARGET DATE FOR IMPLEMENTATION:****12 DECEMBER 2016**

5.8**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36 16(1)(b) AND 17(1)(c) FOR OCTOBER 2016****(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING : 2 DECEMBER
2016)****RESOLVED (UNANIMOUSLY):**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for October 2016, **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 October 2016, **be noted**.

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

6. CONSIDERATION OF REPORTS**6.1**

APPEAL LODGED IN TERMS OF SECTION 62 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT 32 OF 2000) : ERF 2299, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA : APPEAL SUBMITTED BY JR & E McCLEAN

3/2/3/6**S Swart****18 October 2016****(028) 313 8006****Corporate Head Office**

EXECUTIVE SUMMARY

To submit a resolution of the proceedings of the Appeal Committee to Council for information.

RESOLVED (UNANIMOUSLY):

that the decision of the Section 62 Committee **be noted**, namely:

1. that the appeal **be dismissed**; and
2. that the Appellant forfeit his deposit.

RESPONSIBLE OFFICIAL :**S VAN DER MERWE/S SWART****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

6.2

ERF 995, 39 MUSSON STREET, HERMANUS (EASTCLIFF), OVERSTRAND MUNICIPAL AREA : PROPOSED REMOVAL OF RESTRICTIONS, SUBDIVISION AND DEPARTURE : MESSRS WRAP CONSULTANCY ON BEHALF OF I SMUTS

3/2/3/6

S Swart

16 November 2016

(028) 313 8006

Corporate Head Office

EXECUTIVE SUMMARY

To submit a resolution of the proceedings of the Appeal Committee to Council for information.

RESOLVED (UNANIMOUSLY):

that the decision of the Section 62 Committee **be noted**, namely:

1. that the appeal **be upheld**; and
2. that the full deposit **be refunded** to the the Appellant.

RESPONSIBLE OFFICIAL :**S VAN DER MERWE/S SWART****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

7. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

None

8. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

None

9. CONSIDERATION OF MOTIONS OF EXIGENCY

None

10. SEASON'S WISHES

The Deputy Executive Mayor, Ald D Coetzee, thanked all Councillors for the way they conducted themselves during Council meetings and he also thanked the Municipal Manager, Mr C Groenewald, as well as the Directors in the way they carried their mandate. He wished those who will be enjoying a recess a well-deserved rest and wished all a Blessed Christmas and Prosperous New Year.

Cllr S Tebele, on behalf of the ANC, wished all Councillors a joyful recess and requested Ald M Sapepa to hand out presents to everyone.

Cllr B Molefe, on behalf of the EFF, thanked all Councillors, Directors and Officials for their hard work and wished all a safe recess.

The Municipal Manager, Mr C Groenewald, spoke on behalf of the Administration and wished all Councillors a well-deserved recess after their dedicated work during the past 6 months. He referred to the 2017/2018 budget which is being compiled under difficult circumstances and thanked all Officials for their hard work.

The Speaker, Ald A Coetsee, requested that it be minuted that he allowed Cllr S Tebele to walk around while the meeting was still in progress to hand out presents to Councillors.

The Speaker, Ald A Coetsee, reported that he would introduce Cllr Parks Tau (newly elected Chairperson of SALGA) to Council in the near future.

The meeting adjourned at 11:40

DATE

THE SPEAKER – A COETSEE