



ORDINARY MEETING OF THE COUNCIL
GEWONE VERGADERING VAN DIE RAAD
INTLANGANISO YESIQHELO YEBHUNGA

A G E N D A

I-AJENDA

DATE / DATUM / UMHLA : 25 NOVEMBER / NOVEMBA 2020
VENUE / PLEK / INDAWO : VIRTUAL
TIME / TYD / IXESHA : 11:00

MUNICIPALITY / MUNISIPALITEIT / UMASIPALA WE-OVERSTRAND

Office of the Municipal
Manager
Municipal Offices
HERMANUS

20 November / Novemba 2020

NOTICE TO ALL ALDERMEN & COUNCILLORS

ORDINARY MEETING OF THE OVERSTRAND MUNICIPAL COUNCIL

NOTICE IS HEREBY GIVEN that, due to the Covid-19 Lockdown, an **ORDINARY MEETING** of the **OVERSTRAND MUNICIPAL COUNCIL** will be held by means of a virtual platform on **WEDNESDAY, 25 NOVEMBER 2020** at **11:00**, of which the agenda will be available on the Overstrand Website (www.overstrand.gov.za).

The attention of Councillors is directed to the Code of Conduct for Councillors and Municipal Officials, Schedules 1 & 2 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

D O'NEILL
MUNICIPAL MANAGER

KENNISGEWING AAN ALLE RAADSHERE & RAADSLEDE

GEWONE VERGADERING VAN DIE OVERSTRAND MUNISIPALE RAAD

KENNIS GESKIED HIERMEE dat, weens die Covid-19 grendeltydperk, 'n **GEWONE VERGADERING** van die **OVERSTRAND MUNISIPALE RAAD** gehou sal word by wyse van 'n virtuele platform op **WOENSDAG, 25 NOVEMBER 2020** om **11:00**, welke agenda op die Overstrand Webtuiste (www.overstrand.gov.za) beskikbaar sal wees.

Raadslede se aandag word gevestig op die Gedragskode vir Raadslede en Munisipale Beampptes, Bylae 1 & 2 van die Wet op Plaaslike Regering : Munisipale Stelsels, 2000 (Wet 32 van 2000).

D O'NEILL
MUNISIPALE BESTUURDER

ISAZISO ESIYA KUBO BONKE OOCEBAKHULU NOOCEBA

INTLANGANISO YESIQHELO YEBHUNGA LIKAMASIPALA WE-OVERSTRAND

OKU KUKWAZISA ukuba, ngenxa yokuvakwa okubangelwe yintsolongwana i-COVID-19, **INTLANGANISO YESIQHELO yeBHUNGA LIKAMASIPALA WE-OVERSTRAND**, iyakubanjwa ngeqonga elibonakalisayo **ngoLWESITHATHU, Umhla we 25 NOVEMBA 2020 ngeye-11:00**. I-ajenda iya kufumaneka yona kwiwebhusayithi ye-Overstrand (www.overstrand.gov.za).

OoCeba bayacelwa ukuba baqwalasele isikhokelo sokuziphatha sooCeba namaGosa kamasipala, amaXwebhu 1 & 2 kaRhulumente wooMasipala: uMthetho weeNkqubo zikaMasipala, 2000 (UMthetho 32 wowama-2000).

D O'NEILL
UMPHATHI KAMASIPALA

AGENDA/...

- 1. OPENING**

- 2. APPLICATIONS FOR LEAVE OF ABSENCE**

- 3. CONFIRMATION OF MINUTES**
 - 3.1 Minutes of an Ordinary Meeting of the Council held on Wednesday, 28 October 2020 at 15:00**

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

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)

REMARK

Please note that the following recommendations contained in this agenda are subject to confirmation or amendment by the Executive Mayor in view of the fact that the **compilation of the Council agenda** was done before the Mayoral Committee of 25 November 2020 had formally sat.

**5.1
WRITING OFF OF IRRECOVERABLE DEBT**

(ITEM 1, PAGE 1 : FINANCE PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

that the irrecoverable debt to the value of R390 052.31 as listed below, be written off as bad debt:

	First time write off – Indigent Households	R 12 025.54
A	Indigent water leakages irrecoverable	R 344 754.69
B	Final accounts equal or less than R1 500.00	R 578.09
C	Other Write offs	R 32 693.99
	TOTAL	<u>R 390 052.31</u>

RESPONSIBLE OFFICIAL :

EM HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2020

5.2

REVIEW OF OVERSTRAND MUNICIPALITY FIRE MANAGEMENT PLAN 2021 - 2025

(ITEM 3, PAGE 19 : PROTECTION SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

that the Overstrand Municipality Fire Management Plan 2021 - 2025 **be noted**.

RESPONSIBLE OFFICIAL :

**NJ MICHAELS
L. SMITH**

TARGET DATE FOR IMPLEMENTATION :

1 DECEMBER 2020

5.3

REVIEW OF THE OVERSTRAND MUNICIPALITY DISASTER MANAGEMENT PLAN

(ITEM 4, PAGE 43 : PROTECTION SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

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

RESPONSIBLE OFFICIAL :

**NJ MICHAELS
L SMITH**

TARGET DATE FOR IMPLEMENTATION :

1 DECEMBER 2020

5.4

COVID-19: EXEMPTION FROM PAYING LAUNCHING FEES AT THE KLEINBAAI PUBLIC LAUNCHING SITE (PLS)

(ITEM 2, PAGE 14 : COMMUNITY SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

that the reduction to the amount of R1,810.00 (incl. VAT) of the launching tariff with code S1J2B at the Kleinbaai PLS, for the duration of the lockdown alert levels as per the COVID-19 Regulations issued in terms of the Disaster Management Act, 2002 for a maximum consideration for the 2020/2021 Financial Year, **be approved**.

RESPONSIBLE OFFICIAL :**F MYBURGH****TARGET DATE FOR IMPLEMENTATION :****1 DECEMBER 2020**

**5.5
REVISED FLEET MANAGEMENT POLICY**

**(ITEM 3, PAGE 17 : COMMUNITY SERVICES PORTFOLIO -
MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)**

RECOMMENDATION TO THE COUNCIL:

that the revised Fleet Management Policy for Overstrand Municipality **be adopted**.

RESPONSIBLE OFFICIAL:

T STEENBERG

TARGET DATE FOR IMPLEMENTATION:

TO BE NOTED

5.6

A PORTION OF REMAINDER ERF 243 HERMANUS (SITUATED IN MALVA STREET, MOUNT PLEASANT) KNOWN AS THE MOUNT PLEASANT BUSINESS CENTRE: DEVIATION FROM PARAGRAPH 18 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO RENEW THE LEASE OF MUNICIPAL PROPERTY TO MOUNT PLEASANT BUSINESS CENTRE COMMITTEE

(ITEM 4, PAGE 207 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to renew the lease agreement with Mount Pleasant Business Centre Committee for a further period of 9 (NINE) years and 11 (ELEVEN) months without following a competitive process, **be approved**.

RESPONSIBLE OFFICIAL:**W MURTZ****TARGET DATE FOR IMPLEMENTATION:****31 DECEMBER 2020****TARGET DATE TO INFORM APPLICANT:****18 DECEMBER 2020****TARGET DATE TO INFORM OBJECTOR:****N/A**

5.7

**A PORTION OF REMAINDER ERF 243 HERMANUS (ROTARY DRIVE):
RESCISSION OF COUNCIL'S IN PRINCIPLE APPROVAL FOR THE LEASE OF
MUNICIPAL PROPERTY TO THE HERMANUS ASTRONOMY CLUB**

**(ITEM 5, PAGE 215 : INFRASTRUCTURE & PLANNING PORTFOLIO -
MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)**

RECOMMENDATION TO THE COUNCIL:

that the Council resolution dated 1 September 2009 in respect of the in principle approval for the direct lease of a portion of Erf 243 Hermanus (Rotary Drive) for a period of 9 (NINE) years and 11 (ELEVEN) months to the Hermanus Astronomy Club at a rental amount of R100.00 (ONE HUNDRED RAND ALONE) (VAT included) per month, **be rescinded.**

RESPONSIBLE OFFICIAL :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****15 DECEMBER 2020****TARGET DATE TO INFORM APPLICANT :****15 DECEMBER 2020****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.8

IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF ERF 2467 GANSBAAI ADJACENT TO ERF 2474 GANSBAAI SITUATED BETWEEN 25 AND 27 BERGGANS STREET, GANSBAAI TO EL ALDRICH

(ITEM 6, PAGE 222 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

1. that the direct alienation of a portion of Erf 2467 (adjacent to Erf 2474) Gansbaai situated in Berggans Street, $\pm 125\text{m}^2$ in extent, to the owner of the adjoining Erf 2474 Gansbaai, EL Aldrich, at an amount of R172.80/m² (ONE HUNDRED AND SEVENTY TWO RAND AND EIGHTY CENTS PER SQUARE METRE) (VAT excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as the subject portion of Erf 2467 Gansbaai 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;
4. that it be noted that a condition for the alienation will be that the subject portion of Erf 2467 Gansbaai must be consolidated with the adjoining property of EL Aldrich, being Erf 2474 Gansbaai;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on the portion of Erf 2467, which condition must be registered against the title deed of the consolidated property;
6. that the alienation of the portion of Erf 2467 Gansbaai be subject to a suspensive condition that the Applicant obtains approval for the closure of a public place, subdivision, rezoning, consolidation, amendment of and all related town planning approvals applicable;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, amendment of conditions of approval, closure of a public place, subdivision, rezoning, consolidation, transfer and related costs, advertisements, etc. be paid by the Applicant, EL Aldrich; and
8. 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:

W MURTZ

TARGET DATE FOR IMPLEMENTATION:

31 DECEMBER 2020

TARGET DATE TO INFORM APPLICANT:

18 DECEMBER 2020

TARGET DATE TO INFORM OBJECTOR:

N/A

5.9

IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF ERF 4913 HERMANUS (ROAD RESERVE) ADJACENT TO ERF 341 HERMANUS SITUATED AT 24 WESTCLIFF ROAD, HERMANUS TO JC DAVIS

(ITEM 7, PAGE 233 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

1. that the direct alienation of Erf 4913 Hermanus (adjacent to Erf 341 Hermanus) situated in Westcliff Road, 107m² in extent, to the owner of the adjoining Erf 341 Hermanus, JC Davis, at an amount of R55,000.00 (FIFTY FIVE THOUSAND RAND) (VAT excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as Erf 4913 Hermanus 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;
4. that it be noted that a condition for the alienation will be that Erf 4913 Hermanus must be consolidated with the adjoining property of JC Davis, being Erf 341 Hermanus;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on Erf 4913 Hermanus, which condition must be registered against the title deed of the consolidated property;
6. that the alienation of Erf 4913 Hermanus be subject to a suspensive condition that the Applicant obtains at own cost all the applicable town planning approvals;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, closure of public road, rezoning, consolidation, transfer and related costs, advertisements, etc. be paid by the Applicant, JC Davis; and
8. 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:

W MURTZ

TARGET DATE FOR IMPLEMENTATION:

31 DECEMBER 2020

TARGET DATE TO INFORM APPLICANT:

15 DECEMBER 2020

TARGET DATE TO INFORM OBJECTOR:

N/A

5.10

IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF UNREGISTERED ERF 9899 (A PORTION OF ERF 9894) HERMANUS, SITUATED IN ELEVENTH STREET, VOËLKLIP TO WL GREEFF

(ITEM 8, PAGE 242 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

1. that the direct alienation of unregistered Erf 9899 (a portion of Erf 9894) Hermanus situated at Eleventh Street in Voëlklip, 198m² in extent, to the owner of the adjoining Erf 3505 Hermanus, WL Greeff, at an amount of R650,000.00 (SIX HUNDRED AND FIFTY THOUSAND RAND) (VAT Excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as unregistered Erf 9899 (a portion of Erf 9894) Hermanus 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;
4. that it be noted that a condition for the alienation will be that unregistered Erf 9899 (a portion 9901) Hermanus must be consolidated with the adjoining property of WL Greeff, being Erf 3505 Hermanus;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on unregistered Erf 9899 (a portion of Erf 9894) Hermanus, which condition must be registered against the title deed of the consolidated property;
6. that the alienation of unregistered Erf 9899 (a portion of Erf 9894) Hermanus be subject to a suspensive condition that the Applicant obtains approval for the Town Planning processes, including the relaxation of the southern (rear) building line of the consolidated property from 15.58m to 12.58m;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, rezoning, consolidation, application for relaxation of the southern (rear) building line, transfer and related costs, advertisements, etc. be paid by the Applicant, WL Greeff; and
8. 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:

W MURTZ

TARGET DATE FOR IMPLEMENTATION:

18 DECEMBER 2020

TARGET DATE TO INFORM APPLICANT:

31 DECEMBER 2020

TARGET DATE TO INFORM OBJECTOR:

N/A

5.11

ERVEN 942 AND 943, 69 & 71 DREYER STREET, STANFORD: APPLICATION FOR DEVIATION FROM THE OVERSTRAND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, 2006 AND GROWTH MANAGEMENT STRATEGY, 2010: MESSRS WRAP CONSULTANCY ON BEHALF OF HENQUE 3030 CC

(ITEM 9, PAGE 257 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

that the application in terms of the provisions of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as well as the provisions of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the Overstrand Municipality Spatial Development Framework, 2006 and the Overstrand Municipality Growth Management Strategy, 2010 in order to change the reservation on Erven 942 and 943, Stanford from residential land use to commercial land use, **be approved.**

RESPONSIBLE OFFICIAL:**P ROUX****TARGET DATE FOR IMPLEMENTATION:****9 DECEMBER 2020****TARGET DATE TO INFORM APPLICANT:****9 DECEMBER 2020****TARGET DATE TO INFORM OBJECTOR:****N/A**

5.12

MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM) POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) AND PARAGRAPH 6(7)(4)(F) OF THE DIRECTIONS OF THE DISASTER MANAGEMENT ACT, OCTOBER 2020

(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for October 2020, **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 October 2020, **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 October 2020, **be noted**.

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

5.13

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

(ITEM 6, PAGE 17 : MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

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

RESPONSIBLE OFFICIAL :**DC VAN DER HEEVER****TARGET DATE FOR IMPLEMENTATION :****25 NOVEMBER 2020**

5.14

ANNUAL REVIEW OF ELECTRICITY DEPOSITS

**(ITEM 7, PAGE 43 : MAYORAL COMMITTEE MEETING :
25 NOVEMBER 2020)**

RECOMMENDATION TO THE COUNCIL:

that the annual review of electricity deposits as prescribed in the Customer Care, Credit Control and Debt Collection Policy, be waived for the 2020/2021 financial year.

RESPONSIBLE OFFICIAL :

EM HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2020

5.15

AMENDMENT TO THE 2020/2021 INDIGENT POLICY

**(ITEM 8, PAGE 46 : MAYORAL COMMITTEE MEETING :
25 NOVEMBER 2020)**

RECOMMENDATION TO THE COUNCIL:

that the Indigent Policy be amended retrospectively from 1 July 2020 by amending the following section:

A category of needy households is recognised for purposes of receiving an indigent subsidy:-

A. Indigent household with income less than four times the Government State Old Age Pension and electricity consumption less than 400 kWh

.....

B. Indigent households with a property value up to R220 000.00 and electricity consumption less than 400 kWh (no income restriction):-

.....

Subsidy

(i)

(ii)

(iii)

(iv)

(v) R[**164.35**] 185.49 of the basic levy for refuse removal for one service point per month;

(vi)

(vii)

(viii)

(ix)

C. Indigent households with a property value up to R220 000.00 and electricity less than 500 kWh (no income restriction) only applicable for existing category C recipients of a benefit in terms of this policy up to 30 June 2020:

.....

Subsidy

(i)

(ii) R[**164.35**] 185.49 of the basic levy for refuse removal per month for one service point.

D. Indigent households with a property value greater than R220 000.00 and electricity more than 400kWh but less than 500kWh (income not exceeding the sum of four times the amount of the state funded social pension) only applicable for existing category D recipients of a benefit in terms of this policy up to 30 June 2020:

.....

Subsidy

- (i)
- (ii) R[**164.35**] 185.49 of the basic levy for refuse removal per month for one service point.

RESPONSIBLE OFFICIAL :

E HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2020

5.16

COVID-19 ARRANGEMENTS

THE “SEATS ON THE STREETS” CAMPAIGN: DEVIATION FROM SEVERAL PARAGRAPHS OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 AND EXEMPTION FROM THE PAYMENT OF RENTAL

(ITEM 9, PAGE 61 : MAYORAL COMMITTEE MEETING : 25 NOVEMBER 2020)

RECOMMENDATION TO THE COUNCIL:

1. that the deviation from Tariff S34G2: “Lease of Municipal land for outdoor seating adjoining a Restaurant (per m2 per month)” as approved in the annual budget for the 2020/2021 financial year in relation to all the applications approved under the “Seats on the Streets” campaign **be approved**;
2. that exemption from the payment of rentals by the tenants of the Municipality as indicated in Annexure A hereto for the period “Seats on the Streets” campaign will run **be approved**; and
3. that, should the “Seats on the Streets” campaign be extended to and including 15 April 2021, the deviation from paragraphs 4, 21.2(a), 21.2(b), 21.2(e), 26 and 41 of the Administration of Immovable Property Policy of 2015, **be approved**.

RESPONSIBLE OFFICIAL :**A LE ROUX
E HOONEBERG****TARGET DATE FOR IMPLEMENTATION :****11 DECEMBER 2020****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

6. CONSIDERATION OF REPORTS**6.1****RECESS: DECEMBER 2020 / JANUARY 2021 : RESCHEDULING OF JANUARY 2021 SPECIAL COUNCIL MEETING****3/2/1/4****H van Tonder****Manager : Council Support Services****12 November 2020****(028) 313 8037**

1. Executive Summary

The purpose of the report is to advise Council that the recess item that served before Council on 28 October 2020 be reviewed in order to reschedule the Special Council Meeting of 20 January 2021.

2. Service Delivery and Budget Implementation Plan Reference - IGNITE

Not applicable

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

None

5. Legal Requirements

- Constitution of the Republic of South Africa, 1996 (Constitution)
- Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) (Structures Act)
- Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) (Systems Act)
- Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA)

6. Discussion

The requirement in section 127(2) of the MFMA that the Municipality's 2019/2020 Draft Annual Report be tabled in Council before the end of January each year, was, due to Covid-19 challenges, reviewed and this date postponed until March 2021.

MFMA Circular no 104 *inter alia* states as follows:

“2.1 The Minister of Finance exempted municipalities and municipal entities from submitting key reports. The notice allows for a two-month delay in the submission of Annual Financial Statements, Annual Reports, Audit Opinions, Oversight reports and associated processes.

2.2 the context of this exemption flows from the Minister of Co-operative Governance and Traditional Affairs’ announcement of the national state of disaster in terms of the Disaster Management Act to enable government and the country at large to manage the spread of the Covid-19 virus. Following the initial announcements of the national state of disaster, subsequent extensions and different levels were communicated.”

Whilst the first cycle for Council business will still commence during February 2021, the **Special Council Meeting** for January 2021 will be rescheduled taking place on **Wednesday, 27 January 2021**.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

None

RECOMMENDATION TO THE COUNCIL:

that Council’s resolution 6.1 (5) dated 28 October 2020 **be rescinded** and read as follows:

“that **cognisance be taken** that a **Special Council Meeting** will take place on **Wednesday, 27 January 2021** and that in 2021 the first meeting of the **Joint Portfolio Committees** will be held on **16 February 2021 at 10:00**, the **Mayoral Committee** on **24 February 2021 at 10:00** and the **Council Meeting** on **24 February 2021 at 11:00** in the Banqueting Hall, Civic Centre, Hermanus.

RESPONSIBLE OFFICIAL :

S SWART

TARGET DATE FOR IMPLEMENTATION :

25 NOVEMBER 2020

6.2 CONFERRING OF ALDERMANSHIP

3/3/2

H van Tonder

Manager : Council Support Services

20 November 2020

028 313 -8037

1. Executive Summary

The purpose of this report is to inform Council that, in terms of the approved criteria for conferring of Aldermanship, Councillors K Brice and R de Coning qualify for this title and to therefore request Council to consider the awarding of the title to aforementioned Councillors.

2. Service Delivery and Budget Implementation Plan - IGNITE

Not applicable

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

None

5. Legal Requirements

Criteria accepted by the Council on 29 June 2005 for awarding aldermanship/ alderladyship to councillors.

6. Discussion

Council adopted the criteria for awarding aldermanship to councillors, as follows:

- “1. that the concept of awarding aldermanship/alderladyship to councillors in acknowledgement of services rendered, **be recognised by Council**, and
2. that the following criteria **be accepted** by the Overstrand Municipality for awarding aldermanship/alderladyship to councillors : -
 - 2.1 a councillor who served as mayor for a full term (5 years);

- 2.2 a councillor who served as Speaker, Deputy Mayor or as member of the Mayoral Committee (initially the Executive Committee) of the same municipality for two consecutive terms (10 years);
- 2.3 a councillor who obtained a minimum of fifteen points serving for the same municipality, or twenty points serving for more than one municipality, on the following scale : -
- ONE point for each year serving as Councillor. PLUS;
- TWO additional points for each year serving as Mayor in a previous municipality or in the same municipality if a full term of five years was not completed;
- ONE additional point for each year serving as Speaker, Member of an Executive/Mayoral Committee or serving as Deputy Mayor in a previous municipality or the same municipality if two full terms were not completed;
- ONE additional point for each year serving as Chairperson of a Ward Committee or a standing committee in the previous dispensation;
- ONE additional point for each year representing a Municipality on a District Municipality;
- TWO additional points for each year serving in a District Municipality as Mayor;
- ONE additional point for each year serving in a District Municipality as member of the Mayoral Committee, Speaker or Executive/Mayoral Committee;
3. that all service in a municipality that formed part of the Overstrand Municipality when the amalgamation took place, be regarded as service in the same municipality."

The available service records of these councillors were checked and their points were calculated as per the attached table (Annexure A).

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

Annexure A : Evaluation of Aldermanship : Score Sheet

RECOMMENDATION TO THE COUNCIL:

that aldermanship **be conferred** upon Councillors K Brice and R de Coning in acknowledgement for services rendered by them to the community.

RESPONSIBLE OFFICIAL :

S SWART

TARGET DATE FOR IMPLEMENTATION :

25 NOVEMBER 2020

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

8. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

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

9. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)