



**ORDINARY MEETING OF THE COUNCIL**

**GEWONE VERGADERING VAN DIE RAAD**

**INTLANGANISO YESIQHELO YEBHUNGA**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 28 OCTOBER / OKTOBER /  
OKTOBHA 2021**

**VENUE / PLEK / INDAWO : AUDITORIUM**

**TIME / TYD / IXESHA: 15:00**

# OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

## MINUTES OF THE COUNCIL MEETING HELD IN THE AUDITORIUM ON 28 OCTOBER 2021, AT 15:00

---

**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 D Lakey, Acting Director : Community Services  
Mr N Michaels, Director : Protection Services  
Mr S Madikane, Director : Economic Development & Tourism  
Mr S Müller, Director : Infrastructure & Planning  
Mr D van der Heever, Chief Audit Executive  
Ms R Louw, Senior Manager : Strategic Services  
Mr F Myburgh, Senior Manager : Gansbaai Administration  
Mr R Kuchar, Senior Manager : Town & Spatial Planning  
Mr B King, Senior Manager : Financial Services  
Ms E Hooneberg, Senior Manager : Revenue Services  
Ms M Erasmus, Acting Manager : Property Administration  
Mr L Smith, Chief : Fire & Rescue & Disaster Management  
Mr F Frans, Manager : Housing Administration  
Ms H van Tonder, Manager : Council Support Services  
Ms N Zweni, Manager : Communication  
Ms R Steenekamp, Media & Social Media Liaison Officer  
Ms S Yawa, Mayoral Committee Secretary  
Ms G Erasmus, Clerk : Auditorium  
Ms S Swart, Administrative Officer : Council Support Services

**ALSO PRESENT:** Members of the Public

**MINUTES/....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

COUNCIL MEETING  
28 OCTOBER 2021

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F	✓
BOTHA, D	✓
BRICE, KD	✓
COETSEE, A	✓
COETZEE, DP	✓
COHEN, G	✓
DE CONING, CA	✓
GILLION, E	✓
KALOLO, SV	✓
KOMANI, AS	✓
KRIGE, F	✓
NQINATA, NNT	✓
MAY, C	✓
MHANA, M	✓
MOLEFE, B	✓
MORGAN, H	✓
MSWELI, X	✓
NTSABO, L	✓
NUTT, R	✓
ORBAN, J	✓
PUNGUPUNGU, V	✓
RESANDT, C	✓
SAPEPA, NM	✓
TAFU-NWONKWO, CC	✓
TEBELE, S	✓

**1. OPENING**

The Speaker, Ald A Coetsee, afforded 30 second of silent prayer. The Municipal Manager, Mr D O'Neill, read the notice convening the meeting.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

None

**3. CONFIRMATION OF MINUTES****3.1 Minutes of an Ordinary Meeting of the Council held on Tuesday, 24 August 2021 at 11:00****RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Tuesday, 24 August 2021 at 11:00, be confirmed.**

**3.2 Minutes of a Special Meeting of the Council held on Thursday, 16 September 2021 at 14:00****RESOLVED:**

that the Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Thursday, 16 September 2021 at 14:00, be confirmed.**

**3.3 Minutes of a Special Meeting of the Council held on Wednesday, 13 October 2021 at 14:00****RESOLVED:**

that the Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 13 October 2021 at 14:00, be confirmed.**

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

The Speaker, Ald A Coetsee, removed Item 5.9 from this agenda, as the item was referred back by the Executive Mayor.

The Speaker, Ald A Coetsee, informed the meeting that Special Mayoral Committee and Council meetings will be held after refreshments were served, in order to approve the minutes of the Mayoral Committee and Council meetings which were held at 14:00 and 15:00 respectively on 28 October 2021.

The Speaker, Ald A Coetsee, informed the meeting that he will allow political parties to give their farewell speeches at the end of this meeting.

The Executive Mayor, Ald D Coetzee, mentioned that councillors, members of the staff, as well as members of the community, passed on as a result of Covid-19 and the Deputy Executive Mayor, Cllr E Gillion, lit a candle in memory of those who passed on.

**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 PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the irrecoverable debt to the value of R503 088.14 as listed below, be written off as bad debt:

A	First time write off – Indigent Households	R 121 476.39
B	Indigent water leakages irrecoverable	R 350 367.47
C	Final accounts equal or less than R1 500.00	R 1 763.81
D	Other Write offs	<u>R 29 480.47</u>
	<b>TOTAL</b>	<u><b>R 503 088.14</b></u>

**RESPONSIBLE OFFICIAL :**

**EM HOONEBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**05 NOVEMBER 2021**

**5.2****AMENDMENTS AND ADDITIONS TO THE DELEGATION OF POWERS AND DUTIES: MUNICIPAL MANAGER: HUMAN RESOURCES****(ITEM 1, PAGE 1 : MANAGEMENT SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)****RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the amendments and additions to the Municipal Manager's delegations (as per Annexure A to the item) of powers and duties conferred on him, **be approved**.

**RESPONSIBLE OFFICIAL :****L BUCCHIANERI  
H VAN TONDER****TARGET DATE FOR IMPLEMENTATION :****8 NOVEMBER 2021**

**5.3**

**REVIEW OF THE OVERSTRAND MUNICIPALITY DISASTER MANAGEMENT PLAN**

**(ITEM 2, PAGE 34 : PROTECTION SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

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

**RESPONSIBLE OFFICIAL :**

**NJ MICHAELS  
L SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**1 NOVEMBER 2021**



**5.4**

**YOUTH DEVELOPMENT THROUGH LOCAL DEMOCRACY**

**(ITEM 1, PAGE 1 : ECONOMIC DEVELOPMENT AND TOURISM  
PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER  
2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the report **be noted**.

**RESPONSIBLE OFFICIAL :**

**S MADIKANE  
G SMIT  
R LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**NOT APPLICABLE**

**5.5****TRANSFER: ERF 371, ZWELIHLE: MR NKOSIMBINI PHILIP SKISANA AND MRS NONKOSO PATRICIA SKISANA****(ITEM 2, PAGE 6 : COMMUNITY SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)****RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

1. that permission **be granted** to transfer erf 371, Zwelihle to Mr Nkosimbini Philip Skisana (ID Number 521221 5703 089) and Mrs Nonkoso Patricia Skisana (ID Number 670312 1013 083);
2. that Mr Nkosimbini Philip Skisana and Mrs Nonkoso Patricia Skisana be responsible for the payment of the sales price of R10,00; and
3. that the aforementioned approval furthermore be subject to Mr Nkosimbini Philip Skisana and Mrs Nonkoso Patricia Skisana accepting responsibility for the outstanding municipal services account in respect of erf 371 Zwelihle.

**RESPONSIBLE OFFICIAL :****FW FRANS****TARGET DATE FOR IMPLEMENTATION :****01 NOVEMBER 2021**

**5.6**

**IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF THE REMAINDER ERF 1178 DE KELDERS (ROAD RESERVE), ADJACENT TO ERF 43 DE KELDERS SITUATED AT 1 DE VILLIERS STREET, DE KELDERS TO CFP JORDAAN**

**(ITEM 2, PAGE 106 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

1. that the direct alienation of a portion of Remainder Erf 1178 (adjacent to Erf 43) De Kelders situated in De Villiers Street,  $\pm 165\text{m}^2$  in extent, to the owner of the adjoining Erf 43 De Kelders, CFP Jordaan, at an amount of R240.00/m<sup>2</sup> (TWO HUNDRED AND FORTY RAND 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 Remainder Erf 1178 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 Remainder Erf 1178 De Kelders must be consolidated with the adjoining property of CFP Jordaan, being Erf 43 De Kelders;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on the portion of Remainder Erf 1178 De Kelders, which condition must be registered against the title deed of the consolidated property;
6. that the alienation of the portion of Remainder Erf 1178 De Kelders be subject to a suspensive condition that the Applicant obtains approval for the subdivision, rezoning, consolidation and any other related town planning applications;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, subdivision, rezoning, consolidation, transfer and related costs, advertisements, etc. be paid by the Applicant, CFP Jordaan; 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:**

**11 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT:**

**11 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

**5.7**

**TRANSFER OF A PORTION OF ERF 6804 HERMANUS (ROAD RESERVE) ADJACENT TO ERF 6515 HERMANUS SITUATED AT 72 KATJIEPIERING STREET, MOUNT PLEASANT, TO DJ & MG COERT**

**(ITEM 5, PAGE 133 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

1. that the transfer of a portion of Erf 6804 Hermanus (adjacent to Erf 6515 Hermanus) situated at 72 Katjeepering Street, Mount Pleasant,  $\pm 180\text{m}^2$  in extent, to the owner of the adjoining Erf 6515 Hermanus, DJ & MG Coert, at an amount of R172.00/m<sup>2</sup> (ONE HUNDRED AND SEVENTY TWO RAND) (PER SQUARE METRE) (VAT excluded) for the purpose of gardening, parking and erection of a boundary fence or wall **be approved**;
2. that Council take cognisance of the fact that the direct alienation and subsequent transfer is only approved as the subject portion of Erf 6804 Hermanus is classified as a non-viable property;
3. that it be noted that a condition for the transfer is that the said portion of Erf 6804 Hermanus must be consolidated with the adjoining property of DJ & MG Coert, being Erf 6515 Hermanus;
4. 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 and parking purposes and no structures, excluding a boundary fence or wall, may be erected thereon;
5. that the transfer of a portion of Erf 6804 Hermanus be subject to a suspensive condition that the applicant/purchaser obtains approval for the closure of the public road, subdivision, consolidation and rezoning and all related town planning approvals applicable;
6. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, subdivision and consolidation, closure of portion of public road, rezoning, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser; and
7. that it be noted that the municipal property envisaged to be transferred 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:**

**30 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT:**

**19 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

**5.8**

**TRANSFER OF ERF 6848 KLEINMOND ADJACENT TO ERF 7308 KLEINMOND SITUATED AT 1 BERGROOS CRESCENT, EXTENSION 6, TO THE BREAD OF LIFE ASSEMBLY OF SOUTH AFRICA**

**(ITEM 9, PAGE 167 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

1. that the transfer of Erf 6848 Kleinmond (adjacent to Erf 7308 Kleinmond) situated at 1 Bergroos Crescent, Extension 6, 162m<sup>2</sup> in extent, to the owner of the adjoining Erf 7308 Kleinmond, The Bread of Life Assembly of South Africa, at an amount of R41,000.00 (FORTY ONE THOUSAND RAND) (VAT excluded) for church and related purposes be **approved**;
2. that Council take cognisance of the fact that the direct alienation and subsequent transfer is only approved as Erf 6848 Kleinmond is classified as a non-viable property;
3. that it be noted that a condition for the transfer will be that Erf 6848 Kleinmond must be consolidated with the adjoining property of The Bread of Life Assembly of South Africa, being Erf 7308 Kleinmond;
4. that the transfer of Erf 6848 Kleinmond is subject to a suspensive condition that the applicant/purchaser obtains approval for the rezoning and consolidation and all related town planning approvals applicable;
5. that all the costs pertaining to the transaction, e.g. application cost, valuation rezoning, consolidation, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser, The Bread of Life Assembly of South Africa; and
6. that it be noted that the municipal property envisaged to be transferred 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:****30 NOVEMBER 2021****TARGET DATE TO INFORM APPLICANT:****19 NOVEMBER 2021****TARGET DATE TO INFORM OBJECTOR:****N/A**

**5.9**

**THIS ITEM WAS REMOVED**



**5.10**

**TRANSFER OF A PORTION OF ERF 2423 BETTY'S BAY ADJACENT TO ERF 2674 BETTY'S BAY SITUATED AT 199 PORTER DRIVE, BETTY'S BAY, TO AFRICA PRO CURE CC**

**(ITEM 11, PAGE 183 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

1. that the transfer of a portion of Erf 2423 Betty's Bay (adjacent to Erf 2674 Betty's Bay) situated at 199 Porter Drive, Betty's Bay,  $\pm 60\text{m}^2$  in extent, to the owner of the adjoining Erf 2674 Betty's Bay, Africa Pro Cure CC, at an amount of R150.00/m<sup>2</sup> (ONE HUNDRED AND FIFTY RAND PER SQUARE METRE) (VAT excluded) for parking purposes be **approved**;
2. that Council take cognisance of the fact that the direct alienation and subsequent transfer is only approved as the subject portion of Erf 2423 Betty's Bay is classified as a non-viable property;
3. that it be noted that a condition for the transfer will be that the said portion of Erf 2423 Betty's Bay must be consolidated with the adjoining property of Africa Pro Cure CC, being Erf 2674 Betty's Bay;
4. that a condition be registered against the title deed of the to be consolidated property that no structures, excluding a boundary fence or wall, may be erected thereon;
5. that the transfer of a portion of Erf 2423 Betty's Bay be subject to a suspensive condition that the applicant/purchaser obtains approval for the closure of the portion of public road, subdivision, consolidation and rezoning and all related town planning approvals applicable;
6. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, closure of portion of public road, subdivision, consolidation, rezoning, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser, Africa Pro Cure CC; and
7. that it be noted that the municipal property envisaged to be transferred 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:**

**30 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT:**

**19 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

**5.11**

**PORTION 5 OF THE FARM NO. 585 SITUATED IN THE HEMEL AND AARDE VALLEY HERMANUS: DEVIATION FROM PARAGRAPH 18 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A DIRECT LEASE WITH OVERSTRAND SKILLS TRAINING NETWORK NPC**

**(ITEM 12, PAGE 192 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to enter into a lease agreement with Overstrand Skills Training Network NPC without following a competitive bidding process, **be approved.**

<b>RESPONSIBLE OFFICIAL :</b>	<b>M ERASMUS</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>31 NOVEMBER 2021</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>31 NOVEMBER 2021</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

**5.12**

**IN PRINCIPLE APPROVAL FOR THE ALIENATION OF UNREGISTERED ERF 12308 (A PORTION OF ERF 384) HERMANUS SITUATED ON THE CORNER OF CHURCH STREET AND ALBERTYN STREET, HERMANUS, BY MEANS OF A COMPETITIVE PROCESS**

**(ITEM 14, PAGE 209 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**CLLR S TEBELE FROM THE AFRICAN NATIONAL CONGRESS, SECONDED BY ALD M SAPEPA, MADE A COUNTER PROPOSAL TO THE EFFECT THAT THE ITEM BE REFERRED BACK TO BE DEALT WITH BY THE NEW COUNCIL**

**THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 15:24**

**THE MEETING RESUMED AT 15:32**

**THE EXECUTIVE MAYOR, SECONDED BY CLLR D BOTHA, PROPOSED THAT THE RECOMMENDATION AS CONTAINED IN THIS ITEM, STANDS**

**WHEN PUT TO THE VOTE, 9 MEMBERS VOTED IN FAVOUR OF THE COUNTER PROPOSAL BY THE AFRICAN NATIONAL CONGRESS, AND 16 MEMBERS VOTED AGAINST THE PROPOSAL BY THE AFRICAN NATIONAL CONGRESS.**

**THE RECOMMENDATION BY THE EXECUTIVE MAYOR WAS THUS CARRIED.**

**RESOLVED (SUPPORTED BY 16 COUNCILLORS):**

1. that the alienation of unregistered Erf 12308 Hermanus (a portion of Erf 384 Hermanus), ±7,342 Square Meters in extent, for the purpose of medical facilities and related community facilities by means of a competitive process at no less than the fair market value, **be approved in principle**;
2. that all costs pertaining to the transaction, including, but not limited to, the transfer costs, water, sewer and electricity connections, the section 14 advertisement, services relocation costs and servitude registration costs, but excluding the valuation costs, where applicable, be paid by the successful bidder/purchaser;
3. that a condition be registered against the title deed of the Property that it may only be used and developed for medical facilities and related community facilities;
4. that the relevant conditions stipulated and imposed by the Manager: Engineering Services as well as those included in the Engineering Services Report be included in the deed of sale; and

5. that it is hereby confirmed by Council that the municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of paragraph 5 of the Administration of Immovable Property Policy approved by Council on 25 November 2015 and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

**RESPONSIBLE OFFICIAL :**

**R MARINUS**

**TARGET DATE FOR IMPLEMENTATION :**

**IN PROCESS**

**TARGET DATE TO INFORM APPLICANT :**

**N/A**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

## 5.13

**APPLICATION TO PURCHASE: A PORTION OF ERF 379 (A PORTION OF ERF 370) HERMANUS (DE GOEDE STREET, HERMANUS), ADJACENT TO ERF 6137 HERMANUS (18 WESTCLIFF ROAD, HERMANUS) – MG OTTO**

**(ITEM 16, PAGE 360 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the direct alienation of a portion of Erf 379 (a portion of Erf 370) Hermanus ( $\pm 294,5\text{m}^2$  in extent), adjacent to Erf 6137 Hermanus, to the owner of the adjoining Erf 6137 Hermanus, MG Otto, **not be approved** as the property must be reserved for current line of sight as well as future road widening.

<b>RESPONSIBLE OFFICIAL:</b>	<b>R OCTOBER</b>
<b>TARGET DATE FOR IMPLEMENTATION:</b>	<b>30 NOVEMBER 2021</b>
<b>TARGET DATE TO INFORM APPLICANT:</b>	<b>15 NOVEMBER 2021</b>
<b>TARGET DATE TO INFORM OBJECTOR:</b>	<b>N/A</b>

**5.14**

**ERF 4413, BETTY'S BAY OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTION, REZONING AND SUBDIVISION: MESSRS WRAP PROJECT OFFICE ON BEHALF OF BS McLEOD**

**(ITEM 17, PAGE 366 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the application to deviate from the Overstrand Growth Management Strategy, 2010 in order to allow the density of 27,1du/ha for Erf 4413, **be approved.**

<b>RESPONSIBLE OFFICIAL :</b>	<b>R KUCHAR</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>11 NOVEMBER 2021</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>11 NOVEMBER 2021</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

**5.15**

**A PORTION OF ERF 775 FISHERHAVEN: DEVIATION FROM PARAGRAPHS 18 AND 24 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A FURTHER LEASE AGREEMENT WITH LAKE MARINA YACHT AND BOAT CLUB**

**(ITEM 18, PAGE 399 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

1. that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to renew the current lease agreement with Lake Marina Yacht and Boat Club for a further period of 3 (THREE) years without following a competitive process, **be approved**; and
2. that the deviation from paragraph 24 of the Administration of Immovable Property Policy in order to renew the current lease agreement with Lake Marina Yacht and Boat Club without having a new market related valuation being done, **be approved**.

**RESPONSIBLE OFFICIAL :**

**R MARINUS**

**TARGET DATE FOR IMPLEMENTATION :**

**30 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT :**

**15 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**



**5.16****OVERSTRAND MUNICIPALITY: INVESTIGATION INTO AVAILABLE AND DEVELOPABLE LAND IN KLEINMOND AND OVERHILLS UPGRADES****(ITEM 19, PAGE 406 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)****RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the investigation into available and developable land in Kleinmond and Overhills Upgrades **be approved** as a guiding document to the Overstrand Spatial Development Framework, 2020 and the Overstrand Housing Plan.

**RESPONSIBLE OFFICIAL :****R KUCHAR****TARGET DATE FOR IMPLEMENTATION :****11 NOVEMBER 2021****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

**5.17**

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

**(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 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 OCTOBER 2021**

**5.18**

**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, AUGUST 2021**

**(ITEM 6, PAGE 23 : MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for August 2021, **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 August 2021, **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 August 2021, **be noted**

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

**5.19**

**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, SEPTEMBER 2021**

**(ITEM 7, PAGE 37 : MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for September 2021, **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 September 2021, **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 September 2021, **be noted**.

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

**5.20**

**SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT – 2021/2022:**

**1<sup>st</sup> QUARTER: 1 JULY 2021 – 30 SEPTEMBER 2021**

**(ITEM 8, PAGE 57 : MAYORAL COMMITTEE MEETING :  
28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the activities undertaken and outcomes achieved in the implementation of the Overstrand Municipality's Supply Chain Management Policy for the 1<sup>st</sup> Quarter of 2021/2022 **be noted.**

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

**5.21**

**QUARTERLY BANK ACCOUNT WITHDRAWALS IN TERMS OF SECTION 11(4) OF THE MFMA FOR THE QUARTER ENDED SEPTEMBER 2021**

**(ITEM 9, PAGE 118 : MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the consolidated quarterly report in respect of Bank Account Withdrawals in terms of Section 11(4) of the MFMA for the quarter ended September 2021, **be noted**.

**RESPONSIBLE OFFICIAL :**

**BA KING**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

**5.22****BUDGET REPORT AND SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR THE QUARTER ENDED SEPTEMBER 2021****(ITEM 10, PAGE 121 : MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)****RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the budget report and service delivery and budget implementation plan for the quarter ended September 2021, prepared as part of the reporting obligations arising from the Local Government: Municipal Finance Management Act, 2003 and additional information, **be noted**.

**RESPONSIBLE OFFICIALS :****BA KING  
RG LOUW****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

**5.23**

**AMOUNTS DIRECTLY RELATED TO THE FLUCTUATION IN CONSUMPTION CHARGES EXEMPTED FROM INTEREST FOR A PERIOD**

**(ITEM 11, PAGE 196 : MAYORAL COMMITTEE MEETING : 28 OCTOBER 2021)**

**CLLR L NTSABO LEFT THE MEETING AT 15:52 WITH PERMISSION FROM THE SPEAKER**

**RESOLVED (SUPPORTED BY 24 COUNCILLORS):**

that no interest be raised for a period of up to six (6) months on municipal consumer accounts, on those amounts directly related to the fluctuation in consumption charges, caused by the delayed actual readings as reflected in the accounts for August and September 2021.

**RESPONSIBLE OFFICIAL :**

**E HOONEBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**28 OCTOBER 2021**

**CLLR L NTSABO REJOINED THE MEETING AT 15:53**



**6. CONSIDERATION OF REPORTS****6.1****INVESTIGATION INTO THE INSTANCE OF IRREGULAR EXPENDITURE NON-COMPLIANCE WITH CLAUSE 19 OF THE OVERSTRAND MUNICIPALITY SCM POLICY: ADVERTISEMENTS****3/2/3/8****L Bucchianeri****Senior Manager: Human Resources****16 September 2021****(028) 313 - 8120**

---

**EXECUTIVE SUMMARY**

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) of the Local Government: Municipal Finance Management Act 2003, (Act 56 of 2003). The report contains the detailed background and reasons for the incurrence of the expenditure, when services were rendered regarding the appointment of Ayanda Mbanga Communications Pty Ltd as deviations.

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that, in view of the fact that the municipality have received value for money, the irregular expenditure in the amount of R301 735.62 (Vat Incl) for placement of advertisements, 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****TARGET DATE OF IMPLEMENTATION :****30 NOVEMBER 2021**

**6.2****INVESTIGATION INTO INSTANCES OF POSSIBLE FRUITLESS AND WASTEFUL EXPENDITURE: OUTSTANDING AMOUNTS REFLECTED AGAINST THE SALARY CONTROL VOTE AS NOT RECOVERABLE FROM EMPLOYEES UPON THE TERMINATION OF THEIR SERVICES WITH OVERSTRAND MUNICIPALITY****3/2/3/8****H Vorster****Senior Manager : Expenditure & Assets****19 October 2021****(028) 313-8046****EXECUTIVE SUMMARY**

The purpose of this report is to request Council for the writing off of the fruitless and wasteful expenditure in respect of outstanding amounts reflected against the salary control vote as not recoverable from various former employees upon the termination of their services with Overstrand Municipality.

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the Fruitless and Wasteful Expenditure to the value of R43'780-89 in relation to the outstanding amounts not recoverable from the following former employees, regardless of efforts to collect the outstanding amounts and in view of the risk of incurring legal fees / expenditure related to follow-up efforts in tracing these amounts, 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:

- Matinka, XP (0951) R 262-55
- Meiring, D (4536) R 6'946-79
- Seasonal Workers x 6 R 3'992-24
- Mtshizana, M (0084) R 7'687-31
- Diergaardt, R (0909) R 7'907-68
- Ntontelo, A (3231) R 2'922-43
- Barends, F (4552) R 3'176-58
- Visagie, LH (0980) R10'885-31

**RESPONSIBLE OFFICIAL :****B KING  
C LE ROUX****TARGET DATE FOR IMPLEMENTATION :****30 NOVEMBER 2021**

**6.3**

**INVESTIGATION INTO THE INSTANCE OF FRUITLESS AND WASTEFUL EXPENDITURE: OUTSTANDING AMOUNTS NOT RECOVERABLE FROM EMPLOYEES UPON THE TERMINATION OF THEIR SERVICES WITH OVERSTRAND MUNICIPALITY: DJ PHAMOTSE (90000050657) AND NP HLAZO (900000613601)**

**3/2/3/8****J Vorster****Senior Manager : Expenditure & Assets****19 October 2021****(028) 313-8149**

---

**EXECUTIVE SUMMARY**

The purpose of this report is to request Council to write off the fruitless and wasteful expenditure in respect of the outstanding amounts not recoverable from two former employees, Ms DJ Phamotse (1690) and Ms NP Hlazo (3185), upon the termination of their services with Overstrand Municipality.

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the Fruitless and Wasteful Expenditure to the value of R38'794-39 in relation to the outstanding amounts not recoverable, regardless of efforts to collect the outstanding amounts, and in view of the risk of incurring legal fees / expenditure related to follow-up efforts in tracing, these amounts from two former employees, DJ Phamotse (900000050657) and NP Hlazo (900000613601) upon the termination of their services with Overstrand Municipality, 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****TARGET DATE FOR IMPLEMENTATION :****30 NOVEMBER 2021**

**6.4****INVESTIGATION INTO THE INSTANCE OF FRUITLESS AND WASTEFUL EXPENDITURE: OUTSTANDING AMOUNTS NOT RECOVERABLE FROM PREVIOUS OWNERS FOR PLOT CLEARING CHARGES, AFTER PROPERTY WAS SOLD****3/2/3/8****L Smith****19 October 2021****Senior Manager : Fire & Disaster Management****(028) 313-5041**

---

**EXECUTIVE SUMMARY**

The purpose of this report is to request Council to write off the fruitless and wasteful expenditure in respect of the outstanding amounts not recoverable from Thompson and LC Knottenbelt & JI De Wit (Account numbers 900000636200 & 900000681114) for plot clearing done after the two properties were sold.

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that the Fruitless and Wasteful Expenditure to the amount of R13 515-76 in relation to the outstanding amount not recoverable from SP&MM THOMPSON (R6 445-41) and LC KNOTTENBELT & JL DE WIT (R7 070-35) 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****TARGET DATE FOR IMPLEMENTATION :****30 NOVEMBER 2021**

**6.5  
CONFERRING OF ALDERMANSHIP****3/3/2****H van Tonder****Manager : Council Support Services****18 October 2021****028 313 -8037**

---

**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council that, in terms of the approved criteria for conferring of Aldermanship, Councillors E Gillion and N Nqinata qualify for this title and to therefore request Council to consider the awarding of the title to aforementioned Councillors.

**RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

that aldermanship **be conferred** upon Councillors E Gillion and N Nqinata in acknowledgement for services rendered by them to the community.

**RESPONSIBLE OFFICIAL :****S SWART****TARGET DATE FOR IMPLEMENTATION :****28 OCTOBER 2021****CERTIFICATES AND NAME PLATES WERE HANDED TO ALD E GILLION AND  
N NQINATA**

**The Executive Mayor, Ald D Coetzee, welcomed the Honourable Speaker of the Western Cape Provincial Parliament, Mr M Mnqasela.**

**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 SPEAKER AFFORDED TIME FOR THE POLITICAL PARTIES TO DELIVER THEIR FAREWELL SPEECHES.**

**CERTIFICATES WERE HANDED TO THE COUNCILLORS FOR RECOGNITION OF SERVICE AS A COUNCILLOR**

**The meeting adjourned at 16:23**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**THE SPEAKER – A COETSEE**