



**ORDINARY MEETING OF THE COUNCIL**

**GEWONE VERGADERING VAN DIE RAAD**

**INTLANGANISO YESIQHELO YEBHUNGA**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 25 OCTOBER / OKTOBER /  
OKTOBHA 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 25 OCTOBER 2023 AT 10:00**

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**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  
Ms R Louw, Senior Manager : Strategic Planning  
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  
Mr T Louw, Technical Support : Auditorium  
Ms S Swart, Administrative Officer : Council Support Services




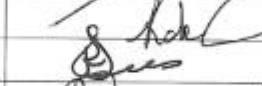
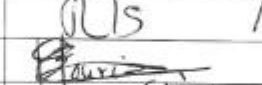
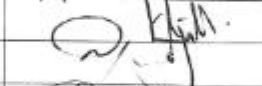


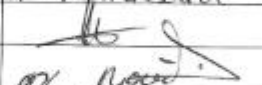
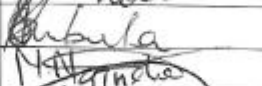

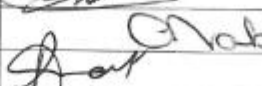








**ALSO PRESENT:**

Members of the Public

**MINUTES/....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

COUNCIL MEETING  
25 OCTOBER 2023

ALDERMEN/COUNCILLORS	SIGNATURE
AFRICA, F	
BANDEZA, V	
BRICE, KD	
COETZEE, DP	
COHEN, G	
DE CONING, CA	
DEES, RM	
ELS, T	
FOURIE, SH	
GILLION, E	
GRIMBEEK, MD	
GWELE, T	
KOMANI, AS	
LERM, CH	
LOMBARD, H	
NGQANDANA, K	
NOMATITI, M	
NOMBULA, BG	
NQINATA, NNT	
NTSABO, L	
NUTT, R	
RABIE, AL	
RESANDT, CT	
SIHLAHLA, M	
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 Cllr T Els opened with prayer.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

None

**3. CONFIRMATION OF MINUTES**

- 3.1 Minutes of an **Ordinary Meeting** of the **Overstrand Municipal Council** held on **Wednesday, 27 September 2023** at **10:00**

**RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the **Overstrand Municipal Council** held on **Wednesday, 27 September 2023** at **10:00** be confirmed.

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

The Speaker, Cllr G Cohen, informed council that matters arising from previous council minutes will be included in future agendas.

The Executive Mayor, Ald A Rabie, expressed her gratitude to all officials for their hard work during the recent floods of 23 and 24 September 2023, especially Protection Services, Public Services, Law Enforcement and Traffic Services. She requested the Municipal Manager, Mr D O'Neill, to convey her appreciation to all staff who was involved.

The Speaker, Cllr G Cohen, also conveyed his gratitude to the Executive Mayor, Ald A Rabie, for her selfless efforts to always keep communities informed on all matters regarding the floods occurring on 23 and 24 September 2023.

**5. CONSIDERATION OF REPORTS****5.1****APPROVAL FOR FILLING OF VACANCY: DIRECTOR: COMMUNITY SERVICES**

**D Arrison  
09 October 2023**

**Director: Management Services**

**(028) 313 8001**

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**EXECUTIVE SUMMARY**

The purpose of this report is to obtain Council's approval for the filling of the vacancy of the Director Community Services.

**RESOLVED (SUPPORTED BY 27 COUNCILLORS):**

that the filling of the vacancy **be approved** and the post of Director: Community Services be advertised in the national newspapers as well as provincial newspapers in the Western Cape.

**RESPONSIBLE OFFICIAL:**

**DS ARRISON**

**TARGET DATE FOR IMPLEMENTATION:**

**IMMEDIATELY**

**5.2****APPOINTMENT OF A SELECTION PANEL FOR THE RECRUITMENT AND SELECTION PROCESS FOR THE APPOINTMENT OF A DIRECTOR: COMMUNITY SERVICES****D Arrison  
9 October 2023****Director: Management Services****(028) 313 8001**

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**EXECUTIVE SUMMARY**

The purpose of this report is for Council to appoint a selection panel for the recruitment and selection process and for recommendations in the appointment of a Director: Community Services.

**RESOLVED (SUPPORTED BY 27 COUNCILLORS):**

that a selection panel for the recruitment and selection process and for recommendations to Council in the appointment of a Director Community Services, be instituted as follows:

- Mr Dean O'Neill, Municipal Manager – Chairperson;
- The Mayoral Committee member responsible for Community Services; and
- A visiting Municipal Manager from a Municipality in the Western Cape.

**RESPONSIBLE OFFICIAL :****D ARRISON****TARGET DATE FOR IMPLEMENTATION :****IMMEDIATELY**

**5.3****A PORTION OF ERF 4565 HERMANUS: PARTIAL AMENDMENT OF COUNCIL RESOLUTION DATED 30 AUGUST 2023 – SOUTH AFRICAN POLICE SERVICE****N J Michaels**  
**5 October 2023****Director : Protection Services****(028) 313 8054**

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**EXECUTIVE SUMMARY**

To obtain approval for the partial amendment of Council resolution dated 30 August 2023 with regards to the commencement date of the memorandum of agreement to be entered into with the South African Police Service (“SAPS”).

**RESOLVED (SUPPORTED BY 27 COUNCILLORS):**

1. that recommendation 1 of Council resolution 5.1 dated 30 August 2023 be amended to read as follows:

that the deviation from paragraphs 26 and 41 of the Administration of Immovable Property Policy of 2015 in order for the Municipality to enter into a memorandum of agreement with the South African Police Service to use floor space in the Incident Command Centre building situated on a portion of Erf 4565 Hermanus, for a period of 3 (THREE) years from 1 January 2024, to operate the control and surveillance service as part of the incident command system in a joint approach to fight crime within the Overstrand, be approved; and

2. that, save for the above, the said resolution 5.1 dated 30 August 2023 shall remain in full force and effect.

**RESPONSIBLE OFFICIAL :****L SMITH****TARGET DATE FOR IMPLEMENTATION :****15 NOVEMBER 2023****TARGET DATE TO INFORM APPLICANT :****15 NOVEMBER 2023**

**5.4  
TARIFFS FOR TIME OF USE RESIDENTIAL CUSTOMERS**

**SU Muller  
12 October 2023**

**Director : Infrastructure & Planning**

**(028) 313 8019**

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**EXECUTIVE SUMMARY**

The purpose of the report is to request Council to consider the impact on customers who are adversely affected and penalised by the continuing loadshedding implemented by Eskom. It is recommended that Domestic Time of Use (ToU) customers be excluded from the sundry charge applicable for exceeding their notified maximum demand (NMD).

**RESOLVED (SUPPORTED BY 27 COUNCILLORS):**

that the exemption of domestic Time of Use consumers from tariff E5A10 for exceeding their Notified Maximum Demand in cases where the exceedance is due to loadshedding and not controllable by the consumer, **be approved** retrospectively from 1 July 2023.

**RESPONSIBLE OFFICIAL :**

**K DU PLESSIS**

**TARGET DATE FOR IMPLEMENTATION :**

**1 JULY 2023**

**5.5****APPOINTMENT OF VALUATION APPEAL BOARD MEMBER****SG Reyneke-Naudé**  
**13 October 2023****Director: Finance****(028) 313 8040**

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**EXECUTIVE SUMMARY**

The purpose of this report is to obtain permission from Council to appoint a new member, whom must be a professional valuer, to serve on the Valuation Appeal Board at Overstrand Municipality after the sudden resignation of H O Wiggins on 8 October 2023.

**RESOLVED (SUPPORTED BY 27 COUNCILLORS):**

that Council consider the inputs received from the Directorate Municipal Support and Capacity Building, Department of Local Government, Western Cape and appoint Ms C Hall (professional valuer) as the new member to the Valuation Appeal Board of Overstrand Municipality, to replace Mr. H O Wiggins who resigned on 8 October 2023.

**RESPONSIBLE OFFICIAL :****EM HOONEBERG****TARGET DATE FOR IMPLEMENTATION :****01 NOVEMBER 2023**

## 5.6

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)  
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR SEPTEMBER 2023****C Le Roux  
04 October 2023****Deputy Director: Finance & SCM****(028) 313 8107**

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**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council of all deviations from the Supply Chain Management Policy, approved by the delegated authority in terms of Paragraph 36 of the Supply Chain Management Policy, approvals in terms of Paragraph 16(1)(b) and 17(1)(c) for September 2023.

**RESOLVED (SUPPORTED BY 27 COUNCILLORS):**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for September 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 September 2023, **be noted**; and
3. that the awards made through the Bid Committee system, formal written price quotations in excess of R30 000 and price quotations below R30 000 for September 2023, **be noted**.

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

## 5.7

**SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT – 2023/2024:****1<sup>st</sup> QUARTER: 01 JULY 2023 TO 30 SEPTEMBER 2023****C Le Roux  
09 October 2023****Deputy Director: Finance & SCM****(028) 313 8107**

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**EXECUTIVE SUMMARY**

In terms of Paragraph 6(3) of Overstrand Municipality's Supply Chain Management Policy, the Municipal Manager must, within 10 days of each quarter, submit a report on the implementation of the Supply Chain Management Policy to the Executive Mayor.

**RESOLVED (SUPPORTED BY 27 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 2023/2024 **be noted**.

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

**THE EXECUTIVE MAYOR, ALD A RABIE, REQUESTED THAT A MEETING BE HELD WITH ALL COUNCILLORS, SUPPLY CHAIN MANAGEMENT AND ALL BUDGET HOLDERS TO CLARIFY SOME MATTERS. (TO BE ADDED TO MATTERS ARISING AT NEXT COUNCIL MEETING)**

**5.8****QUARTERLY BANK ACCOUNT WITHDRAWALS IN TERMS OF SECTION 11(4) OF THE MFMA FOR THE QUARTER ENDED SEPTEMBER 2023****BA King****16 October 2023****Senior Manager: Financial Services****(028) 313 8154**

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**EXECUTIVE SUMMARY**

Report prepared as part of the financial reporting obligations arising from section 11(4) of the Local Government: Municipal Finance Management Act, 2003 (MFMA).

**RESOLVED (SUPPORTED BY 27 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 2023, **be noted**.

**RESPONSIBLE OFFICIAL :****BA KING****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

## 5.9

**BUDGET REPORT AND SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR THE QUARTER ENDED SEPTEMBER 2023**

BA King

11 October 2023

Senior Manager: Financial Services

(028) 313 8154

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**EXECUTIVE SUMMARY**

Report prepared as part of the reporting obligations arising from section 52(d) of the Local Government: Municipal Finance Management Act, 2003 (MFMA).

**RESOLVED (SUPPORTED BY 27 COUNCILLORS):**

1. that the budget report and service delivery and budget implementation plan for the quarter ended September 2023, prepared as part of the reporting obligations arising from the Local Government: Municipal Finance Management Act, 2003 and additional information, **be noted**; and
2. that the content of the report, for the first quarter of the 2023/2024 financial year, on the top level Service Delivery and Budget Implementation Plan **be noted**.

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

**THE SPEAKER, CLLR G COHEN, IN TERMS OF RULE 4(2) OF THE MUNICIPALITY'S BY-LAW ON RULES OF ORDER FOR INTERNAL ARRANGEMENTS, CHANGED THE ORDER OF BUSINESS IN ORDER FOR THE NEXT FOUR (4) ITEMS TO BE DEALT WITH AFTER ITEM 8 ON THE AGENDA**

**THE MEETING STOOD DOWN AT 10:33 TO ALLOW OFFICIALS AND THE PUBLIC TO LEAVE THE BANQUETING HALL**

**THE MEETING RESUMED AT 10:43**

**CLLR B NOMBULA LEFT THE MEETING AT 10:45 WITH PERMISSION OF THE SPEAKER**

#### **5.10**

**A PORTION OF ERF 4565 HERMANUS: PARTIAL AMENDMENT OF COUNCIL RESOLUTION DATED 30 AUGUST 2023 – HERMANUS PUBLIC PROTECTION (NPC)**

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.

**5.11**

**A PORTION OF UNREGISTERED ERF 12212 HERMANUS (SITUATED IN MUSSEL ROAD, HERMANUS): DEVIATION FROM PARAGRAPH 20.1(B) OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A FURTHER TEMPORARY AGREEMENT WITH HERMANUS PUBLIC PROTECTION (NPC)**

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.

**5.12****LEASES FOR “SEMI-PERMANENT” STANDS ON A PORTION OF ERF 207 GANSBAAI (GANSBAAI CARAVAN PARK)**

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.

**5.13****WRITING OFF OF IRRECOVERABLE DEBT**

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.

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

None

**7. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS**

None

**8. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)**

None

**The meeting adjourned at 11:11**

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**DATE**

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**THE SPEAKER – G COHEN**