



**ORDINARY MEETING OF THE COUNCIL**

**GEWONE VERGADERING VAN DIE RAAD**

**INTLANGANISO YESIQHELO YEBHUNGA**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 27 SEPTEMBER / SEPTEMBER**  
**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 27 SEPTEMBER 2023 AT 10:00

---

**PRESENT:** Councillors were present as per attached attendance register.

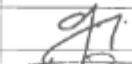



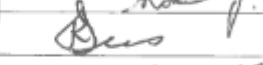
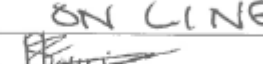

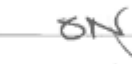



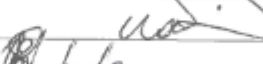
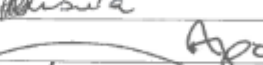
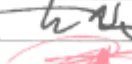











**OFFICIALS PRESENT:** Mr D O'Neill, Municipal Manager  
Ms D Arrison, Director : Management Services  
Ms S Reyneke-Naudé, Director : Finance  
Mr N Michaels, Director : Protection Services  
Mr S Müller, Director : Infrastructure & Planning  
Mr L Smith, Senior Manager : Fire & Emergency Services, Disaster Management  
Ms A Le Roux, Manager : Property Administration  
Ms H van Tonder, Manager : Council Support Services  
Ms N Zweni, Manager : Communications  
Mr X Titus, Assistant Chief : Traffic Operations, Admin, Logistics & Fines  
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  
27 SEPTEMBER 2023

ALDERMEN/COUNCILLORS	SIGNATURE
AFRICA, F	
BANDEZA, V	
BRICE, KD	
COETZEE, DP	
COHEN, G	
DE CONING, CA	
DEES, RM	
ELS, T	ON LINE
FOURIE, SH	
GILLION, E	
GRIMBEEK, MD	ON LINE
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 R Dees opened with prayer.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

**Ald N Nqinata**

**RESOLVED:**

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

**Cllr T Gwele**

**RESOLVED:**

that it be noted that Cllr T Gwele was **absent without leave.**

**3. CONFIRMATION OF MINUTES****3.1 Minutes of an Ordinary Meeting of the Overstrand Municipal Council held on Wednesday, 30 August 2023 at 10:00**

**RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the **Overstrand Municipal Council** held on **Wednesday, 30 August 2023 at 10:00 be confirmed.**

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

The Executive Mayor, Ald A Rabie, reported on the recent storm damage and thanked all staff of the Overstrand Municipality who went the extra mile during this difficult time. She requested the Municipal Manager and CFO to reconsider the budget as money is needed to repair the damage to water works. Emergency water restrictions have been implemented.

The Municipal Manager, Mr D O'Neill, informed council that the NSRI is assisting to find the broken feeding pipe at De Bos dam which was severely damaged after the recent storm. He further informed council that the

Municipality is working with the Provincial Department of Disaster Management. He urged everybody to use water sparingly.

**THE EXECUTIVE MAYOR REQUESTED A CAUCUS AT 10:20**

**THE MEETING RESUMED AT 10:38**

The Executive Mayor, Ald A Rabie, requested the Speaker to declare a recess from 2 – 13 October 2023 and urged councillors to be present in their wards during this time. All portfolio committee meetings which were scheduled for 3 – 5 October 2023 have thus been cancelled.

**5. CONSIDERATION OF REPORTS****5.1****MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM) POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR AUGUST 2023****C Le Roux**  
**4 September 2023****Deputy Director: Finance & SCM****(028) 313 8107**

---

**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 August 2023.

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

1. that the deviations from the procurement processes, approved in terms of the delegated authority for August 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 August 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 August 2023, **be noted**.

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

**CLLRS L NTSABO AND R NUTT RECUSED THEMSELVES AND WERE NOT PRESENT DURING THE CONSIDERATION OF THIS REPORT**

**5.2****NON-COMPLIANCE WITH PARAGRAPH 17 OF THE OVERSTRAND MUNICIPALITY SCM POLICY: TRAVEL SERVICES**

**DS Arrison  
26 April 2023**

**Director : Management Services**

**(028) 313 8001**

---

**EXECUTIVE SUMMARY**

The expenditure incurred in contravention of paragraph 17 of Council's Supply Chain Management (SCM) Policy was reported to the Municipal Public Accounts Committee, in terms of Section 3(1)(b) of the Local Government: Municipal Finance Management Act (56/2003); Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings and/or Section 32 of the Local Government: Municipal Finance Management Act (56/2003).

**RESOLVED (SUPPORTED BY 23 COUNCILLORS:**

that the irregular expenditure in the amount of R15 593.76 (incl. VAT) for the travel services, 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**

**CLLRS NTSABO AND NUTT REJOINED THE MEETING**

**5.3****A PORTION OF ERF 1071 DE KELDERS: DEVIATION FROM THE APPROVED TARIFF AND ADMINISTRATION OF IMMOVABLE PROPERTY POLICY: UMZALI CIVILS (PTY) LTD**

**A Le Roux**  
**14 September 2023**

**Manager: Property Administration**

**(028) 316 5623**

**EXECUTIVE SUMMARY**

To obtain approval for:

- (a) the deviation from the approved tariff for the temporary use ( $\leq 12$  months) of municipal land for the storage of building materials next to building sites or for general purposes (per m<sup>2</sup> per month);
- (b) the use of tariff S34C3: Enclosure or exclusive use of portions of the Commonage, Public Open Spaces, Road Reserves or Public Thoroughfares for gardening purposes where a lease is not applicable (per m<sup>2</sup> per month); and
- (c) the deviation from paragraph 41 of the Administration of Immovable Property Policy insofar the payment of rates, taxes, availability fees;

in order for the Municipality to enter into a 12 (TWELVE) months lease agreement with Umzali Civils (Pty) Ltd (hereinafter referred to as "Umzali") for the lease of municipal property, being a portion of Erf 1071 De Kelders ( $\pm 3,200$  m<sup>2</sup> in extent) (hereinafter referred to as the "property"), to be used for stockpiling of road construction material.

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

1. that, in order for the Accounting Officer to consider approving a lease to Umzali Civils (Pty) Ltd, the following **be approved**:
  - (a) the deviation from the approved tariff S34G1 for the temporary use ( $\leq 12$  months) of municipal land for the storage of building materials next to building sites or for general purposes (per m<sup>2</sup> per month);
  - (b) the tariff S34C3: Enclosure or exclusive use of portions of the Commonage, Public Open Spaces, Road Reserves or Public Thoroughfares for gardening purposes (where a lease is not applicable) (per m<sup>2</sup> per month) be used in calculation of the rental;
  - (c) the deviation from paragraph 41 of the Administration of Immovable Property Policy insofar the payment of rates, taxes, availability fees and services charges be waived; and





**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 10:51**

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

\_\_\_\_\_  
**THE SPEAKER – G COHEN**