



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

A G E N D A

I-AJENDA

**DATE / DATUM / UMHLA : 28 AUGUST / AUGUSTUS /
AGASTI 2019**

**VENUE / PLEK / INDAWO : BANQUETING HALL /
BANKETSAAL**

**CIVIC CENTRE / BURGERSENTRUM / IZIKO LOLUNTU
HERMANUS**

TIME / TYD / IXESHA : 11:00

MUNICIPALITY / MUNISIPALITEIT / UMASIPALA WE-OVERSTRAND

Office of the Municipal
Manager
Municipal Offices
HERMANUS

23 August / Augustus / Agasti 2019

NOTICE TO ALL ALDERMEN & COUNCILLORS

ORDINARY MEETING OF THE OVERSTRAND MUNICIPAL COUNCIL

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of the **OVERSTRAND MUNICIPAL COUNCIL** will be held in the **Banqueting Hall, Civic Centre, Hermanus**, on **WEDNESDAY, 28 AUGUST 2019** at **11:00** to consider the business set forth in the subjoined agenda.

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).

C GROENEWALD
MUNICIPAL MANAGER

KENNISGEWING AAN ALLE RAADSHERE & RAADSLEDE

GEWONE VERGADERING VAN DIE OVERSTRAND MUNISIPALE RAAD

KENNIS WORD HIERMEE GEGEE dat 'n **GEWONE VERGADERING** van die **OVERSTRAND MUNISIPALE RAAD** gehou sal word in die **Banketsaal, Burgersentrum, Hermanus**, op **WOENSDAG, 28 AUGUSTUS 2019** om **11:00** om die sake op meegaande sakelys te bespreek.

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).

C GROENEWALD
MUNISIPALE BESTUURDER

ISAZISO ESIYA KUBO BONKE OOCEBAKHULU NOOCEBA

INTLANGANISO YESIQHELO YEBHUNGA LIKAMASIPALA WE-OVERSTRAND

OKU KUKWAZISA ukuba intlanganiso **YESIQHELO yeBHUNGA LIKAMASIPALA WE-OVERSTRAND**, iza kuba se **I-Banqueting Hall, kwiZiko LoLUNTU, eHermanus** ngo**LWESITHATHU, Umhla we 28 AGASTI 2019** ngeye-**11:00** ukuqwalasela imicimbi ekule ajenda iqhotyoshelwe apha.

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

C GROENEWALD
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, 26 June 2019** at 11:00
 - 3.2 Minutes of a **Special Meeting** of the **Council** held on **Wednesday, 31 July 2019**

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 28 August 2019 had formally sat.

**5.1
TIME SCHEDULE FOR THE 2020/21 INTEGRATED DEVELOPMENT PLAN (IDP)
REVIEW AND AMENDMENT / BUDGET PROCESS**

**(ITEM 1, PAGE 1 : MANAGEMENT SERVICES PORTFOLIO -
MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)**

RECOMMENDATION TO THE COUNCIL:

that the schedule of key dates for the 2020/21 compilation of an IDP review and amendment/ Budget process **be noted**.

RESPONSIBLE OFFICIAL :

RG LOUW

TARGET DATE FOR IMPLEMENTATION :

28 AUGUST 2019

5.2**AFFORDABLE HOUSING: 107 SERVICED SITES, HAWSTON****(ITEM 1, PAGE 1 : COMMUNITY SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)****RECOMMENDATION TO THE COUNCIL:**

1. that, given the support by the Minister of Human Settlements: Western Cape and the letter of support by the Department of Human Settlement (DOHS), potential beneficiaries exceeding the threshold for Finance Linked Individual Subsidy Programme (FLISP) to the amount of R22,000 monthly gross house hold income be approved to participate in the project under FLISP, subject to the qualifying criteria for FLISP (excluding income threshold) and Western Cape Provincial Circular 10/2015;
2. that approval be granted to potential beneficiaries exceeding the threshold for FLISP to the amount of R22,000 monthly gross house hold income, to purchase serviced sites from the Municipality subject to:
 - (a) the site being sold at a market-related price in accordance with the municipal statutory requirements, and
 - (b) the candidate being informed that he/she will therefore not be receiving any FLISP subsidy assistance from the Department.
3. that the applicants on the Western Cape Housing Demand Database for Hawston, who physically reside in Hawston be given preference to participate in the FLISP project before opportunity is given to applicants on the Western Cape Housing Demand Database for the broader Overstrand Municipal area.
4. that the list of 107 potential beneficiaries with the list of 46 potential replacements be noted;
5. that, after pre-approval letters for potential beneficiaries referred to in recommendation 4 above with regard to mortgage/non-mortgage funding (income category R7,001 - R22,000) and non-approval letters (income category R3,501 - R7,000) were provided, the respective subsidy applications for the final list of potential beneficiaries be processed;
6. that the following procedure for potential beneficiaries to finalise subsidy applications, be approved:
 - (a) that potential beneficiaries be given 30 days written notice to obtain letters for approval of mortgage/non-mortgage bonds/non approval letters as set out in recommendation 5 above;

- (b) that potential beneficiaries be given 30 days written notice to complete their subsidy application documentation; and
 - (c) that potential beneficiaries that do not respond to the first notice (30 days) be given a final written notice of 7 days.
7. that, in the event of any applicants not responding within the mentioned period of 7 days, the available housing opportunities be given to identified additional beneficiaries (replacements).

RESPONSIBLE OFFICIAL:

FW FRANS

TARGET DATE FOR IMPLEMENTATION:

IN PROGRESS

5.3

STANFORD: APPROVAL FOR THE ALIENATION AND TRANSFER OF ERF 2047 STANFORD TO THE DEPARTMENT OF TRANSPORT AND PUBLIC WORKS (WESTERN CAPE) FOR THE UPGRADE OF TRUNK ROAD 28/2 BETWEEN HERMANUS AND STANFORD

(ITEM 2, PAGE 298 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)

RECOMMENDATION TO THE COUNCIL:

1. that the direct alienation (sale) and transfer of a portion of Erf 2047 Stanford to the Western Cape Government (Department of Transport and Public Works) for road widening purposes at payment of a market related purchase price of R5.00/m² (FIVE RAND PER SQUARE METRE)(VAT excluded) **be approved**;
2. that a condition be registered in the title deed of the said portion of Erf 2047 Stanford to be alienated and transferred that no structures of any kind may be erected thereon;
3. that the alienation and transfer of the portion of Erf 2047 Stanford be subject to obtaining the necessary subdivision, rezoning and consolidation approvals;
4. that the costs of the valuation, subdivision and possible consolidation, rezoning, transfer of and cancellation of any endorsements against the property and the related costs be paid by the Western Cape Government (Department of Transport and Public Works);
5. that a condition be included in the Deed of Sale that the Western Cape Government (Department of Transport and Public Works), its agents and contractors must at own cost attend to the relocation of services where requested; and
6. that it be noted that the portion of Erf 2047 Stanford envisaged to be alienated is not required for the provision of the minimum level 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 :**A LE ROUX****TARGET DATE FOR IMPLEMENTATION:****N/A****TARGET DATE TO INFORM APPLICANT:****11 SEPTEMBER 2019****TARGET DATE TO INFORM OBJECTOR:****N/A**

5.4

HERMANUS, STANFORD: RECTIFICATION CONDITIONS 2(a), (b) AND (c) OF COUNCIL RESOLUTION DATED 27 MARCH 2019 FOR THE ALIENATION AND TRANSFER OF SEVERAL PORTIONS OF LAND TO THE DEPARTMENT OF TRANSPORT AND PUBLIC WORKS (WESTERN CAPE) FOR THE UPGRADE OF TRUNK ROAD 28/2 BETWEEN HERMANUS AND STANFORD

(ITEM 3, PAGE 310 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)

RECOMMENDATION TO THE COUNCIL:

that recommendations 2(a), (b) and (c) as contained in the Council resolution of 27 March 2019 be rectified to stipulate as follows:

2. that the following portions of properties revert back to the Overstrand Municipality at the cost of the Western Cape Government (Department of Transport and Public Works):
 - (a) a portion of Erf 4833 Hermanus, $\pm 2839\text{m}^2$ in extent, at a value of R3.75/m² (THREE RAND AND SEVENTY FIVE CENTS PER SQUARE METRE) (VAT excluded);
 - (b) a portion of Erf 4831 Hermanus, $\pm 7748\text{m}^2$ in extent, at a value of R5.00/m² (FIVE RAND PER SQUARE METRE) (VAT excluded);
 - (c) a portion of Erf 4831 Hermanus, $\pm 223\text{m}^2$ in extent, at a value of R5.00/m² (FIVE RAND PER SQUARE METRE) (VAT excluded);

RESPONSIBLE OFFICIAL :**A LE ROUX****TARGET DATE FOR IMPLEMENTATION:****N/A****TARGET DATE TO INFORM APPLICANT:****14 SEPTEMBER 2019****TARGET DATE TO INFORM OBJECTOR:****N/A**

5.5

INFORMAL TRADING STALLS IN THE OVERSTRAND REGION: DEVIATION FROM PARAGRAPH 20.1(b) OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO FURTHER LEASE AGREEMENTS WITH VARIOUS INFORMAL TRADERS; RENEWAL OF LEASE AGREEMENTS SUBJECT TO CONDITIONS

(ITEM 4, PAGE 315 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)

RECOMMENDATION TO THE COUNCIL:

1. that the deviation from paragraph 20.1(b) of the Administration of Immovable Property Policy of 2015 in relation to all the stalls allocated for informal trading as listed in this report as the informal traders will not be able to afford a public participation process on all leases involving the stalls, whether the current leases or any future leases **be approved**; and
2. that the write off of rental in the total amount of R6,917.79 (VAT included) for the period 1 November 2018 to 30 June 2019 in relation to the five stalls in Zwelihle on the reasons stated in the report **be approved**.

RESPONSIBLE OFFICIAL :**W MURTZ****TARGET DATE FOR IMPLEMENTATION :****9 SEPTEMBER 2019****TARGET DATE TO INFORM APPLICANT :****30 SEPTEMBER 2019****TARGET DATE TO INFORM OBJECTOR:****N/A**

5.6**APPLICATION FROM BENGUELA COVE FOR THE USE OF TREATED EFFLUENT FROM THE HAWSTON WASTE WATER TREATMENT WORKS FOR IRRIGATION PURPOSES****(ITEM 5, PAGE 340 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)****RECOMMENDATION TO THE COUNCIL:**

1. that the application by Benguela Cove for the use of treated effluent from the Hawston WWTW for irrigation purposes be approved in principle, subject to the following conditions:
 - (a) that the cost of the design, construction, operation and maintenance of any additionally required treatment facilities, as well as the new pump station and pipeline from Hawston WWTW to Benguela Cove will be for the account of Benguela Cove;
 - (b) that the design, maintenance and operation of all additional infrastructure will be in compliance with the standards of Overstrand Municipality and any other legislative requirements.
2. that the Director: Infrastructure and Planning be delegated to negotiate the terms of an agreement to be concluded to this effect with Benguela Cove, including a possible discounted rate for treated effluent based on potential future uses of this water source.

RESPONSIBLE OFFICIAL :**H BLIGNAUT****TARGET DATE FOR IMPLEMENTATION :****1 SEPTEMBER 2019****TARGET DATE TO INFORM APPLICANT :****1 SEPTEMBER 2019****TARGET DATE TO INFORM OBJECTOR:****N/A**

5.7**TRANSFER OF UNREGISTERED ERF 9901 (A PORTION OF ERF 9894) HERMANUS TO THE BERGRANT TRUST FOR GARDENING PURPOSES****(ITEM 6, PAGE 346 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)****RECOMMENDATION TO THE COUNCIL:**

1. that the objections submitted by the Hermanus Ratepayers Association on 12 and 26 June 2019 respectively be dismissed for the reasons as discussed in this report;
2. that the transfer of unregistered Erf 9901 (a portion of Erf 9894), Hermanus (244m² in extent) to The Bergrant Trust for the amount of R527,500.00 (FIVE HUNDRED AND TWENTY SEVEN THOUSAND FIVE HUNDRED RAND) (VAT excluded) for gardening purposes, **be approved**;
3. that Council take cognisance of the fact that the direct alienation and subsequent transfer is only approved as unregistered Erf 9901 (a portion of Erf 9894) Hermanus is classified as a non-viable property;
4. that it be noted that a condition of transfer will be that unregistered Erf 9901 (a portion of Erf 9894) Hermanus must be consolidated with the adjoining property of The Bergrant Trust, being Erf 3517 Hermanus;
5. that the transfer of unregistered Erf 9901 (a portion of Erf 9894) Hermanus be subject to the suspensive condition that the Applicant/purchaser obtains approval at own cost for the consolidation and rezoning of the property as well as the approval for the relaxation of the southern (rear) building line of the to be consolidated property;
6. that any restriction on the building line imposed by the Town Planning Department be registered against the title deed of the to be consolidated property;
7. 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 purposes and no structures, excluding a boundary wall, may be erected thereon;
8. that all the costs pertaining to the transaction, e.g. application fee, valuation costs, consolidation, rezoning, application for relaxation of the building rear building line, transfer and related costs, advertisements, etc, be paid by the applicant/purchaser; and

9. that it be noted that the municipal property envisaged to be transferred is not required for the provision of the minimum level of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immoveable 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:

9 SEPTEMBER 2019

TARGET DATE TO INFORM APPLICANT:

30 SEPTEMBER 2019

TARGET DATE TO INFORM OBJECTOR:

N/A

5.8**PROPOSED BUSINESS CORRIDORS & NODES FOR EXISTING SETTLEMENTS
IN THE OVERSTRAND MUNICIPAL AREA****(ITEM 8, PAGE 487 : INFRASTRUCTURE & PLANNING PORTFOLIO -
MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)****RECOMMENDATION TO THE COUNCIL :**

that the proposed delineation of area specific Business Corridors and Nodes in settlements, namely: Mooiuitsig; select areas in Kleinmond; Hawston; Mount Pleasant; Zwelihle; Stanford; Mashakane; Blompark and Eluxoweni **be approved**.

RESPONSIBLE OFFICIAL:**P ROUX****TARGET DATE FOR IMPLEMENTATION:****18 SEPTEMBER 2019****TARGET DATE TO INFORM APPLICANT:****N/A****TARGET DATE TO INFORM OBJECTOR:****N/A**

5.9

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR JULY 2019**

**(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING : 28 AUGUST
2019)**

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for July 2019, **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 July 2019, **be noted**.

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

5.10

SUBMISSION OF THE DRAFT UNAUDITED ANNUAL REPORT FOR THE FINANCIAL YEAR 2018/19

(ITEM 6, PAGE 6 : MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)

RECOMMENDATION TO THE COUNCIL:

that tabling of the 2018/19 **DRAFT** unaudited Annual Report, **be noted**.

RESPONSIBLE OFFICIAL :

RG LOUW

TARGET DATE FOR IMPLEMENTATION :

NONE

5.11**WRITING OFF OF 2018/19 NON-TECHNICAL WATER AND ELECTRICITY LOSSES****(ITEM 7, PAGE 12 : MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)****RECOMMENDATION TO THE COUNCIL:**

1. that the non-technical electricity losses to the value of R2 741 393.82 for the 2018/19 financial year **be written off**; and
2. that the non-technical water losses to the value of R2 126 487.53 for the 2018/19 financial year **be written off**.

RESPONSIBLE OFFICIAL :**BA KING****TARGET DATE FOR IMPLEMENTATION :****1 SEPTEMBER 2019**

5.12

FIXED ASSETS: DISPOSAL / DERECOGNITION OF ASSETS FOR THE 2018/19 FINANCIAL YEAR**(ITEM 8, PAGE 20 : MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)****RECOMMENDATION TO THE COUNCIL**

1. that it **be noted** that the assets detailed in Annexure A to the report are not needed to provide the minimum level of basic municipal services; and
2. that the derecognition of the Infrastructure Assets as detailed in Annexure A to the report, **be approved**.

RESPONSIBLE OFFICIAL :**J VORSTER****TARGET DATE FOR IMPLEMENTATION :****31 AUGUST 2018**

5.13

PROPOSED AMENDMENT OF CONTRACT SC 1892/2018: OPERATION OF THE GANSBAAI LANDFILL SITE, STANFORD PUBLIC DROP-OFF FACILITY AND PEARLY BEACH DROP-OFF FACILITY FOR A CONTRACT PERIOD ENDING 30 NOVEMBER 2032

(ITEM 9, PAGE 25 : MAYORAL COMMITTEE MEETING : 28 AUGUST 2019)

RECOMMENDATION TO THE COUNCIL:

1. that **cognisance be taken** of the reasons for the proposed amendment of Contract SC1892/2018 for the Operation of the Gansbaai Landfill Site, Stanford Public Drop-off Facility and Gansbaai Drop-off Facility for a contract period ending 30 November 2032, in terms of the enabling provisions of Section 116(3) and 33 of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the amendment be **consented to**;
2. that **cognisance be taken** that no recommendations or representations were received from the local community or any other stakeholders by the closing date; and
3. that the Municipal Manager **be authorised** to sign the amendment to the long term contract on behalf of Overstrand Municipality.

RESPONSIBLE OFFICIAL :**C MITCHELL****TARGET DATE FOR IMPLEMENTATION :****1 SEPTEMBER 2019****TARGET DATE TO INFORM APPLICANT :****2 SEPTEMBER 2019****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.14

REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FOURTH QUARTERLY REPORT: APRIL - JUNE 2019

**(ITEM 10, PAGE 45 : MAYORAL COMMITTEE MEETING :
28 AUGUST 2019)**

RECOMMENDATION TO THE COUNCIL:

1. that the content of the revised report for the fourth quarter of the 2018/2019 financial year on the top level Service Delivery and Budget Implementation Plan **be noted**; and
2. that the amendments to the Departmental and Top Layer SDBIP for the revised fourth quarter of the 2018/2019 financial year **be approved**.

RESPONSIBLE OFFICIAL :**RG LOUW****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

6. CONSIDERATION OF REPORTS

6.1

APPOINTMENT OF A COUNCILLOR TO THE MANAGEMENT SERVICES PORTFOLIO COMMITTEE

3/2/3/5

H van Tonder

(028) 313 8037

Corporate Head Office

5 August 2019

1. Executive Summary

The purpose of the report is to grant Council an opportunity to appoint a councillor to the Management Services Portfolio Committee.

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

- Section 79 and 80 of the Local Government: Municipal Structures Act, No 117 of 1998 (Structures Act)
- Section 160(8) of the Constitution of the Republic of South Africa, 1996 (Constitution)

6. Background / Discussion

Council resolved on 29 May 2019, *inter alia*, as follows:

“RESOLVED (SUPPORTED BY 23 COUNCILLORS):

Portfolio Committee :
Management Services

Members :
Cllr A Komani (Chairperson), Cllrs M Opperman, R Nutt, Ald M Sapepa and Cllr N Nqinata”

Cllr JL Morgan, to wit the newly appointed councillor in the vacancy on the Democratic Alliance's proportional list due to the passing on of Cllr M Opperman, necessitates the appointment of Cllr JL Morgan to the Portfolio Committee of Management Services.

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 Cllr JL Morgan **be appointed** to the Portfolio Committee of Management Services.

RESPONSIBLE OFFICIAL:**H VAN TONDER****TARGET DATE FOR IMPLEMENTATION:****28 AUGUST 2019**

**6.2
APPOINTMENT OF A COUNCILLOR TO THE SECTION 62 APPEALS
COMMITTEE**

3/2/3/5

H van Tonder

(028) 313 8037

Corporate Head Office

5 August 2019

1. Executive Summary

The purpose of the report is to grant Council an opportunity to appoint a councillor to the Section 62 Appeals Committee.

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

- Section 79 and 80 of the Local Government: Municipal Structures Act, No 117 of 1998 (Structures Act)
- Section 160(8) of the Constitution of the Republic of South Africa, 1996 (Constitution)

6. Background / Discussion

Council resolved on 12 August 2016, *inter alia*, as follows:

“RESOLVED (UNANIMOUSLY):

1. that a Section 62 Appeals Committee be established as follows :

Members : Ald A Coetsee, Cllrs D Botha, M Opperman, V Macotha and X Msweli;”

A new councillor needs to be appointed to the Section 62 Appeals Committee due to the passing on of Cllr M Opperman.

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 a councillor **be appointed** to the Section 62 Appeals Committee.

RESPONSIBLE OFFICIAL:

H VAN TONDER

TARGET DATE FOR IMPLEMENTATION:

28 AUGUST 2019

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)