



**ORDINARY MEETING OF THE COUNCIL**

**GEWONE VERGADERING VAN DIE RAAD**

**INTLANGANISO YESIQHELO YEBHUNGA**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 22 FEBRUARY / FEBRUARIE /  
FEBHRUWARI 2017**

**VENUE / PLEK / INDAWO : BANQUETING HALL,  
BANKETSAAL,  
CIVIC CENTRE / BURGERSENTRUM / IZIKO LOLUNTU  
HERMANUS**

**TIME / TYD / IXESHA: 11:00**

# OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

**MINUTES OF THE COUNCIL MEETING  
HELD IN THE BANQUETING HALL, CIVIC CENTRE,  
HERMANUS, ON 22 FEBRUARY 2017, AT 11:00**

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**PRESENT/ TEENWOORDIG**

Councillors were present as per attached attendance register.

**OFFICIALS PRESENT/  
AMPTENARE TEENWOORDIG**

Mr C Groenewald, Municipal Manager  
Ms S Reyneke-Naudé, Director : Finance  
Mr R Williams, Director : Community Services  
Mr S Madikane, Director : LED  
Ms D Arrison, Director : Management Services  
Mr N Michaels, Director : Protection Services  
Mr S Müller, Director : Infrastructure & Planning  
Mr C le Roux, Deputy Director : Finance  
Ms R Louw, Senior Manager : Strategic Services  
Mr F Myburgh, Senior Manager : Gansbaai  
Administration  
Mr D Lakey, Senior Manager : Kleinmond  
Administration  
Mr A Stali, Manager : Sport & Recreation  
Mr R Kuchar, Senior Manager : Town Planning &  
Property Management  
Mr B King, Senior Manager : Financial Services  
Mr J van Taak : Solid Waste  
Ms P Aplon : Environmental Officer  
Ms L de Villiers, Senior Manager : Environmental  
Services  
Ms T Smit, Principal Clerk : Operational Services,  
Gansbaai Admin  
Ms H van Tonder, Manager : Council Support  
Services  
Ms S Swart, Administrative Officer : Council  
Support Services  
Ms S Carelse, PRO to the Executive Mayor  
Ms A Kotzé, Manager : Property Administration  
Ms R Steenekamp, Media Liaison & Social Media  
Officer  
Mr A Gcotyelwa, Housing Officer (Acting as  
Interpreter)  
Ms D Laing, Relief Clerk : Grade 2



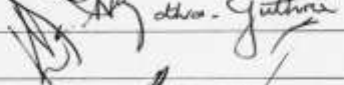




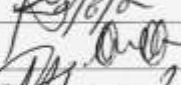
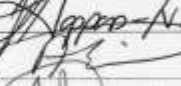
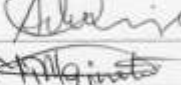


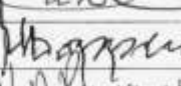
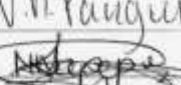







**ALSO PRESENT:**

Members of the Public

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OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

COUNCIL MEETING  
22 FEBRUARY 2017

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, A	
BOTHA, D	
BOTHA-GUTHRIE, N	
BRICE, KD	
COETSEE, A	
COETZEE, DP	
COHEN, G	
DE CONING, CA	
GILLION, E	
KALOLO, SV	
KLAAS, A	
KLOPPERS-LOURENS J	
KOMANI, AS	
KRIGE, F	
NQINATA, NNT	
MACOTHA, VC	
MOLEFE, B	
MSWELI, X	
NTSABO, L	
OPPERMAN, M	
PUNGUPUNGU, V	
SAPEPA, NM	
SMITH, RJ	
TAFU-NWONKWO, CC	
TEBELE, S	

**1. OPENING**

The Municipal Manager, Mr C Groenewald, read the notice convening the meeting. A minute of silence was observed in honour of Cllr V Macotha's baby who passed away.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

**Cllr V Macotha**

**RESOLVED**

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

**3. CONFIRMATION OF MINUTES**

- 3.1 Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Friday, 2 December 2016** at **11:00**

**RESOLVED**

that the Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Friday, 2 December 2016** at **11:00**, **be confirmed.**

- 3.2 Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Monday, 23 January 2017** at **11:00**

**RESOLVED**

that the Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Monday, 23 January 2017** at **11:00**, **be confirmed.**

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

The Executive Mayor, Ald R Smith, informed the meeting of the tragic death of Cllr V Macotha's baby. Cllr Macotha has requested the Executive Mayor that all council matters be dealt with by Cllr S Tebele.

Cllr S Tebele spoke on behalf of the ANC and conveyed condolences to Cllr Macotha and his family. He also informed the meeting that there is a possibility that the baby will be laid to rest on Sunday, 26 February 2017.

Cllr B Molefe spoke on behalf of the EFF and conveyed condolences to Cllr Macotha and his family.

The Speaker, Ald A Coetsee, called Ms Tanya Smit, Principal Clerk : Operational Services, Gansbaai Administration to the front and congratulated her on behalf of Council on her election to act as referee at the 2017 World Eight Ball Pool Championships in Blackpool, England from 24 June to 5 July 2017.

The Speaker, Ald A Coetsee, announced that a presentation will be held by Mr J van Taak and Ms P Aplon directly after this meeting on the "Rethink the Bag" Initiative, an aware making campaign aimed at encouraging the abolishment of the plastic bag.

The Speaker, Ald A Coetsee, requested that it be minuted that he, in terms of his discretion, allowed Cllr S Tebele to speak on the matter of voting during Portfolio Committee meetings. The Speaker suggested that he will give a presentation on the functions of portfolio committees and the oversight role and did not make a ruling. Cllr S Tebele requested that the Standard By-law on Rules of Order for Internal Arrangements also be workshopped. The date of 9 March 2017 for workshopping of policies and rules was confirmed. Ald M Sapepa requested that the Dress Code also be addressed.

The Speaker requested that it be minuted that he asked Cllr Tebele to switch off his microphone and Cllr Tebele continued speaking. The Speaker also requested that it be minuted that he did not give Cllr S Tebele the opportunity to speak.

Cllr S Kalolo complained about the Speaker who always indicates that Councillors are wrong and he is right. Cllr S Tebele then referred to Rule 42 of the Standard By-law on Rules of Order for Internal Arrangements and requested that someone interprets this Rule.

#### **CLLR S TEBELE REQUESTED A CAUCUS AT 11:35**

#### **THE MEETING RECONVENED AT 11:44**

Cllr S Tebele spoke on behalf of the ANC and confirmed that they are standing down on this matter and wait for the Rules to be explained and workshopped on 8 March 2017.

**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**

**MASAKHANE: ERF 2037, WRITING OFF OF IRRECOVERABLE DEBT, TAKALANE CRÈCHE**

**(ITEM 1, PAGE 1 : FINANCE PORTFOLIO - MAYORAL COMMITTEE MEETING : 22 FEBRUARY 2017)**

**RESOLVED (UNANIMOUSLY):**

that the arrear municipal account in the amount of R22,613.76 (TWENTY TWO THOUSAND SIX HUNDRED AND THIRTEEN RAND AND SEVENTY SIX CENT) of Takalane Crèche levied in terms of their lease agreement for the lease of Erf 2037, Masakhane, Gansbaai, be written off as irrecoverable debt.

**RESPONSIBLE OFFICIAL :**

**M ERASMUS**

**TARGET DATE FOR IMPLEMENTATION :**

**31 MARCH 2017**

**5.2**

**HERMANUS, A PORTION OF ERF 4565 HERMANUS: LEASE AGREEMENT WITH HERMANUS SQUASH AND TENNIS CLUB  
DEVIATION FROM PARAGRAPH 20 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015**

**(ITEM 4, PAGE 202 : INFRASTRUCTURE AND PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 22 FEBRUARY 2017)**

**RESOLVED (UNANIMOUSLY):**

that the deviation from paragraph 20 of the Administration of Immovable Property Policy in order to renew the current lease agreement with Hermanus Squash and Tennis Club for a further period of 2 (TWO) years without following a public participation process, **be approved.**

**RESPONSIBLE OFFICIAL :****M MÜLLER****TARGET DATE FOR IMPLEMENTATION :****3 APRIL 2017****TARGET DATE TO INFORM APPLICANT :****14 MARCH 2017****TARGET DATE TO INFORM OBJECTOR :****N/A**

**5.3**

**HERMANUS, A PORTION OF ERF 1 HAWSTON: DEVIATION FROM PARAGRAPHS 20.1(b) AND 26 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A FURTHER LEASE AGREEMENT WITH THE DEPARTMENT OF TRANSPORT AND PUBLIC WORKS AT A FIXED ESCALATION RATE**

**(ITEM 5, PAGE 209 : INFRASTRUCTURE AND PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 22 FEBRUARY 2017)**

**RESOLVED (UNANIMOUSLY):**

1. that the deviation from paragraph 20.1(b) of the Administration of Immovable Property Policy in order to renew the current lease agreement with the Department of Transport and Public Works for a further period of 5 (FIVE) years without following a public participation process, **be approved**; and
2. that the deviation from paragraph 26 of the Administration of Immovable Property Policy in order for the lease amount to escalate every year on 1 July with a fixed percentage of 8% and not as to be approved in the said annual budget, **be approved**.

**RESPONSIBLE OFFICIAL :****M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****31 MARCH 2017****TARGET DATE TO INFORM APPLICANT :****7 MARCH 2017****TARGET DATE TO INFORM OBJECTOR :****N/A**



**5.4****MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)  
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR JANUARY 2017****(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING : 22 FEBRUARY  
2017)****RESOLVED (UNANIMOUSLY):**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for January 2017, **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 January 2017, **be noted**.

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

**5.5****REPORT ON THE PROPOSED 2<sup>nd</sup> ADJUSTMENTS BUDGET FOR 2016/2017****(ITEM 6, PAGE 6 : MAYORAL COMMITTEE MEETING : 22 FEBRUARY 2017)****RESOLVED (UNANIMOUSLY):**

1. that, in terms of section 28(2)(b), (c) & (f) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the 2<sup>nd</sup> Adjustments Budget for 2016/2017 **be approved** as set out in the following schedules:

**Schedule 1:** Budgeted financial performance (revenue & expenditure by municipal vote)

**Schedule 2:** Budgeted financial performance (revenue by source & expenditure by type)

**Schedule 3:** Budgeted multi-year capital appropriations by standard classification (vote) and associated funding by source

**Schedule 4:** Budgeted financial position

**Schedule 5:** Budgeted cash flow

**Schedule 6:** Cash backed reserves and acc. surplus reconciliation

**Schedule 7:** Asset management

**Schedule 8:** Basic service delivery measurement

2. that the following schedules be noted:

**Schedule 9:** Budgeted financial performance (revenue & expenditure by standard classification)

**Schedule 10:** Budgeted capital appropriations by municipal vote

3. that project managers submit a revised SDBIP to the Municipal Manager by 28 February 2017.

**RESPONSIBLE OFFICIAL :**

**BA KING**

**TARGET DATE FOR IMPLEMENTATION :**

**28 FEBRUARY 2017**

**5.6****REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
FOR 2016/17****(ITEM 7, PAGE 94 : MAYORAL COMMITTEE MEETING :  
22 FEBRUARY 2017)****RESOLVED (UNANIMOUSLY):**

1. that the revised SDBIP for 2016/17 **be approved**;
2. that the amendments to the Departmental and Top Layer SDBIP for 2016/17 **be approved**; and
3. that the revised SDBIP for 2016/17 **be made public**.

**RESPONSIBLE OFFICIAL :****R LOUW****TARGET DATE FOR IMPLEMENTATION :****27 FEBRUARY 2017**

**5.7****SIGNED REVISED PERFORMANCE PLANS OF THE SECTION 54A and 56 APPOINTEES FOR 2016/17****(ITEM 8, PAGE 134 : MAYORAL COMMITTEE MEETING : 22 FEBRUARY 2017)****RESOLVED (UNANIMOUSLY):**

that the signed revised performance plans of the Section 54A and 56 appointees for 2016/17 **be noted.**

**RESPONSIBLE OFFICIAL :****R LOUW****TARGET DATE FOR IMPLEMENTATION :****28 FEBRUARY 2017**

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

None

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

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

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

1. Ald M Sapepa submitted a motion of exigency to the effect that the berms between wards 12 and 7 on both sides of the road be removed in total in that it has become a safety hazard to especially women, because a white male is exposing himself on one of the berms.

The Speaker recognised the urgency of the motion.

The motion was seconded by Cllr S Tebele.

**THE DEMOCRATIC ALLIANCE REQUESTED A CAUCUS AT 12:10**

**THE MEETING RECONVENED AT 12:16**

**THE DEMOCRATIC ALLIANCE REQUESTED A FURTHER CAUCUS AT 12:16**

**THE MEETING RECONVENED AT 12:32**

Ald D Coetzee recommended that the previous resolutions be upheld and that a new item be submitted in order for Council to debate the matter. He furthermore recommended that the South African Police Services be requested to patrol the area in the interim.

The recommendation by Ald D Coetzee was seconded by Cllr D Botha.

**WHEN PUT TO VOTE, 8 MEMBERS VOTED IN FAVOUR OF THE MOTION OF ALD M SAPEPA AND 16 IN FAVOUR OF THE RECOMMENDATION OF ALD D COETZEE**

**THE RECOMMENDATION OF ALD D COETZEE WAS THUS CARRIED**

**RESOLVED:**

1. that previous resolutions with regard to the construction of the berms between Wards 12 and 7 on both sides of Schulphoek Road **be upheld** and a new item be submitted in order for Council to debate the matter; and
  2. that the South African Police Services be requested to patrol the area in the interim.
2. Cllr S Kalolo submitted a motion of exigency to the effect that it has come to his attention that there is land at Habonim (Sandbaai Commonage) for sale while there is a backlog on housing, and recommended that the selling process of the land be put on hold, that the previous Council resolution be rescinded and that a new item be submitted to Council.

The Speaker recognised the urgency of the motion.

The motion was seconded by Cllr S Tebele.

**THE DEMOCRATIC ALLIANCE REQUESTED A CAUCUS AT 13:10****THE MEETING RECONVENED AT 13:20**

Ald D Coetzee recommended that, as the Sandbaai Commonage includes the development of housing for the middle income group, the previous “in principle” decision of Council be upheld and the sale of the property continues.

The recommendation of Ald D Coetzee was seconded by Cllr D Botha.

**WHEN PUT TO VOTE, 7 MEMBERS VOTED IN FAVOUR OF THE MOTION OF CLLR S KALOLO AND 16 IN FAVOUR OF THE RECOMMENDATION OF ALD D COETZEE**

**CLLR B MOLEFE FROM THE EFF ABSTAINED FROM VOTING**

**THE RECOMMENDATION BY ALD D COETZEE WAS THUS CARRIED**

**RESOLVED:**

that, as the Sandbaai Commonage includes the development of housing for the middle income group, the previous “in principle” decision of Council **be upheld** and the sale of the property continues.

3. Cllr X Msweli submitted a motion of exigency to the effect that an urgent land audit be undertaken in the Overstrand as communities need land.

The Speaker ruled that the motion is not urgent and that Cllr Msweli can submit an ordinary motion at a forthcoming meeting of Council.

4. Cllr B Molefe submitted a motion of exigency on the problem of drug abuse at schools.

The Speaker ruled that the motion is not urgent and that Cllr Molefe can submit an ordinary motion at a forthcoming meeting of Council.

**The meeting adjourned at 13:33**

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

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