



SPECIAL MEETING OF THE COUNCIL

SPEZIALE VERGADERING VAN DIE RAAD

INTLANGANISO EKHETHEKILEYO YEBHUNGA

A G E N D A

I-AJENDA

DATE / DATUM / UMHLA : 29 JULY/JULIE/JULAYI 2015

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

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

TIME / TYD / IXESHA: 11:00

MUNISIPALITEIT OVERSTRAND MUNICIPALITY

Office of the Municipal
Manager
Municipal Offices
HERMANUS

24 July / Julie / Julayi 2015

NOTICE TO ALL ALDERMEN & COUNCILLORS

SPECIAL MEETING OF THE OVERSTRAND MUNICIPAL COUNCIL

NOTICE IS HEREBY GIVEN that a **SPECIAL MEETING** of the **OVERSTRAND MUNICIPAL COUNCIL** will be held in the **Banqueting Hall, Civic Centre, Hermanus**, on **WEDNESDAY, 29 JULY 2014** 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

SPESIALE VERGADERING VAN DIE OVERSTRAND MUNISIPALE RAAD

KENNIS WORD HIERMEE GEGEE dat 'n **SPESIALE VERGADERING** van die **OVERSTRAND MUNISIPALE RAAD** gehou sal word in die **Banketsaal, Burgersentrum, Hermanus**, op **WOENSDAG, 29 JULIE 2015** om **11:00** om die sake op meegaande sakelys te bespreek.

Raadslede se aandag word gevestig op die Gedragskode vir Raadslede en Munisipale Beampies, 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 EKHETHEKILEYO YEBHUNGA LIKAMASIPALA WE-OVERSTRAND

OKU KUKWAZISA ukuba intlanganiso **EKHETHEKILEYO YEBHUNGA LIKAMASIPALA WE-OVERSTRAND**, iza kuba se **Banqueting Hall, kwiZiko LoLUNTU, eHermanus ngoLWESITHATHU, 29 JULAYI 2015 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
LOMPHATHI KAMASIPALA

AGENDA/....

1. **OPENING**

2. **APPLICATIONS FOR LEAVE OF ABSENCE**

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

4. 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 Special Mayoral Committee in view of the fact that the **compilation of the Special Council agenda** was done before the Special Mayoral Committee of 29 July 2015 had formally sat.

4.1

ANNUAL STOCK TAKING FOR 2014/2015: MUNICIPAL STORES

(ITEM 4, PAGE 1 : SPECIAL MAYORAL COMMITTEE MEETING : 29 JULY 2015)

RECOMMENDATION TO THE COUNCIL:

1. that the surplus stock be accounted against the appropriate vote numbers;
2. that the redundant stock at Hermanus Store (electrical stock) and Gansbaai Store (water stock) be written off; and
3. that the stock as recorded on 30 June 2015 be taken as the starting balance of the 2015/2016 stock register.

RESPONSIBLE OFFICIAL :

R LA COCK

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

4.2

QUARTERLY BANK ACCOUNT WITHDRAWALS NOT IN TERMS OF AN APPROVED BUDGET

(ITEM 5, PAGE 52 : SPECIAL MAYORAL COMMITTEE MEETING : 29 JULY 2015)

RECOMMENDATION TO THE COUNCIL:

that the consolidated quarterly report in respect of Bank Account Withdrawals not in terms of an Approved Budget for the quarter ended March 2015, **be noted**.

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

4.3

QUARTERLY BUDGET REPORT FOR JUNE 2015

**(ITEM 6, PAGE 55 : SPECIAL MAYORAL COMMITTEE MEETING :
29 JULY 2015)**

RECOMMENDATION TO THE COUNCIL:

that the budget report for the quarter ended June 2015, prepared as part of the financial reporting obligations arising from the Local Government: Municipal Finance Management Act, 2003, **be noted**.

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

4.4

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(B) AND 17(1)(C) FOR JUNE 2015**

**(ITEM 7, PAGE 91 : SPECIAL MAYORAL COMMITTEE MEETING :
29 JULY 2015)**

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for June 2015, **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 June 2015, **be noted**.

RESPONSIBLE OFFICIAL :**R LA COCK****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

4.5

**SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT – 2014/2015:
4th QUARTER: 01 APRIL TO 30 JUNE 2015**

**(ITEM 8, PAGE 97 : SPECIAL MAYORAL COMMITTEE MEETING :
29 JULY 2015)**

RECOMMENDATION TO THE COUNCIL:

that **cognisance be taken** of the activities undertaken and outcomes achieved in the implementation of the Overstrand Municipality Supply Chain Management Policy for the 4th Quarter of 2014/2015.

RESPONSIBLE OFFICIAL :

R LA COCK

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

4.6**ANNUAL SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT IN TERMS OF PARAGRAPH 6(2)(a) OF THE POLICY: 2014/2015****(ITEM 9, PAGE 107 : SPECIAL MAYORAL COMMITTEE MEETING : 29 JULY 2015)****RECOMMENDATION TO THE COUNCIL:**

1. that the Supply Chain Management Implementation Report for the 2014/2015 financial year submitted in terms of Paragraph 6 of the Supply Chain Management Policy, **be noted**; and
2. that, following the provisions of paragraph 6 of the Supply Chain Management Policy, **the report be made public** in accordance with Section 21A of the Local Government: Municipal Systems Act, No. 32 of 2000; and
3. that **the schedules of Deviations, Irregular Expenditure and cases of Minor Breaches be disclosed as a note to the Annual Financial Statements** for the 2014/2015 financial year.

RESPONSIBLE OFFICIAL :**R LA COCK****TARGET DATE FOR IMPLEMENTATION :****N/A**

4.7

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(B) AND 17(1)(C), FOR APRIL 2015:
SUBMISSION OF ADDITIONAL INFORMATION**

**(ITEM 10, PAGE 135 : SPECIAL MAYORAL COMMITTEE MEETING :
29 JULY 2015)**

RECOMMENDATION TO THE COUNCIL:

that **cognisance be taken** of the explanation regarding the process followed when making an award to “Overberg Agri Bedrywe (Pty) Ltd” for the purchase of pipe clamps 67/70 HD.

RESPONSIBLE OFFICIAL :

R LA COCK

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

4.8**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FOURTH QUARTERLY REPORT: APRIL - JUNE 2015****(ITEM 11, PAGE 139 : SPECIAL MAYORAL COMMITTEE MEETING :
29 JULY 2015)****RECOMMENDATION TO THE COUNCIL:**

1. that the content of the report for the fourth quarter of the 2014/2015 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 fourth quarter of the 2014/2015 financial year **be approved**.

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

4.9

**WATER AND WASTE WATER TREATMENT OPERATIONS MANAGEMENT
CONTRACT: SC1508/2014****(ITEM 12, PAGE 169 : SPECIAL MAYORAL COMMITTEE MEETING :
29 JULY 2015)****RECOMMENDATION TO THE COUNCIL:**

1. that **cognisance be taken** of the responses received to the request for comments, representations, views and recommendations in respect of the contract and granting of the right to use the water and waste water treatment works;
2. that the right to use, control and manage the water and waste water treatment works for the contract period of 15 years to Veolia Water Solutions & Technologies (Pty) Ltd, **be granted**;
3. that the significant economic financial benefit from the contract for the Municipality, **be noted**;
4. that the Contract for the Management of the Operation and Maintenance of the Water and Waste Water Treatment Works in the jurisdiction of Overstrand Municipality, **be approved**; and
5. that the Municipal Manager be authorised to sign the contract on behalf of Overstrand Municipality.

RESPONSIBLE OFFICIAL :**S MÜLLER
H BLIGNAUT
M BARTMAN****TARGET DATE FOR IMPLEMENTATION :****1 SEPTEMBER 2015****TARGET DATE TO INFORM APPLICANT :****29 JULY 2015**

4.10**IMPLEMENTATION OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, NO 16 OF 2013 (SPLUMA)****(ITEM 13, PAGE 294 : SPECIAL MAYORAL COMMITTEE MEETING : 29 JULY 2015)****RECOMMENDATION TO THE COUNCIL:**

1. that, based on the requirements set out in the Spatial Planning and Land Use Management Act, No 16 of 2013, the associated implications thereof and the findings of the Municipality's administrative, professional and financial capacity, Overstrand Municipality be regarded as having the ability to implement Chapter 6 of SPLUMA (Land Development Management);
2. that the implementation date of SPLUMA, being 1 July 2015, be noted;
3. that the contents of the SPLUMA Regulations published on 23 March 2015, be noted;
4. that the municipal capacity assessment that has been undertaken, be noted and that the establishment of a single Municipal Planning Tribunal (MPT) for the Overstrand Municipality, be approved;
5. that the MPT comprises of five members of which four be internal officials and one an external member;
6. that the following municipal officials be appointed to serve on the MPT: Municipal Manager; Director: Infrastructure and Planning; Director: Economic Development and Director: Community Services;
7. that the Municipal Manager; Director: Infrastructure and Planning and Senior Manager: Town- and Spatial Planning be appointed to evaluate the external members to be nominated for the Planning Tribunal;
8. that the external MPT members be remunerated for travel and subsistence only;
9. that an invitation be extended to the National Department of Rural Development and Land Reform and the Provincial Department of Environmental Affairs and Development Planning to serve on the MPT as external members; and

10. that the evaluation panel considers the potential external MPT members in terms of the following criteria and report back with recommendations to Council, for the latter's approval -
- at least 5 years' experience in Spatial Planning and Land Use Management;
 - registered with SACPLAN as professional planner; and
 - extensive experience and knowledge of planning legislation.

RESPONSIBLE OFFICIAL :

R KUCHAR

TARGET DATE FOR IMPLEMENTATION :

9 SEPTEMBER 2015

5. CONSIDERATION OF REPORTS

5.1

ALLEGATIONS OF FINANCIAL MISCONDUCT: EPWP OFFICIALS EMPLOYED IN THE DIRECTORATE: LOCAL ECONOMIC DEVELOPMENT : PARKING MANAGEMENT

This item was distributed under separate cover to Councillors for consideration.

In terms of Section 20(2) of the Local Government: Municipal Systems Act, No 32 of 2000, read with Rule 17 of the Overstrand Municipality's Standard By-law on Rules of Order for Internal Arrangements, this item must be considered "in committee".