



SPECIAL MEETING OF THE COUNCIL

SPEZIALE VERGADERING VAN DIE RAAD

INTLANGANISO EKHETHEKILEYO YEBHUNGA

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 25 JULY / JULIE / JULAYI 2018

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

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

TIME / TYD / IXESHA : 11:00

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

**MINUTES OF A SPECIAL MEETING OF THE COUNCIL
HELD IN THE BANQUETING HALL, CIVIC CENTRE,
HERMANUS, ON 25 JULY 2018, AT 11:00**

PRESENT: Councillors were present as per attached attendance register.

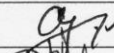

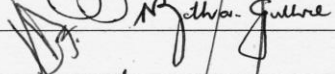



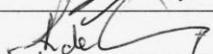

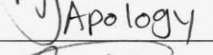


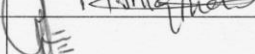
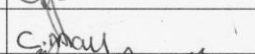



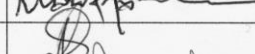
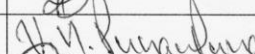
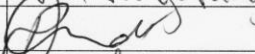




OFFICIALS PRESENT: Mr C Groenewald, Municipal Manager
Ms D Arrison, Director: Management Services
Ms S Reyneke-Naudé, Director: Finance
Mr R Fraser, Acting Director: Protection Services
Mr S Madikane, Director: LED
Mr R Williams, Director: Community Services
Mr S Müller, Director: Infrastructure & Planning
Mr C le Roux, Deputy Director : Finance
Ms R Steenekamp, Media & Social Media Liaison Officer
Mr F Myburgh, Senior Manager : Gansbaai
Ms R Louw, Senior Manager : Strategic Services
Mr B King, Senior Manager : Financial Services
Ms H van Tonder, Manager : Council Support Services
Ms N Zweni, Manager : Communication ICT
Ms S Swart, Administrative Officer: Council Support Services
Ms G Erasmus, Clerk : Auditorium
Ms D Laing, Relief Clerk : Grade 2
Ms M de Villiers, Mayoral Committee Secretary

ALSO PRESENT: Members of the Public

MINUTES/....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

SPECIAL COUNCIL MEETING
25 JULY 2018

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

1. OPENING

Cllr X Msweli opened with prayer. The Municipal Manager, Mr C Groenewald, read the notice convening the meeting.

2. APPLICATIONS FOR LEAVE OF ABSENCE

Cllr S Kalolo

RESOLVED

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

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

The Executive Mayor mentioned that some of the Councillors are not properly dressed according to the Dress Code due to their difficult circumstances caused by the unrest in Zwelihle. The Speaker requested that it be minuted that it be accepted that Councillors are dressed in violation of the Dress Code.

Cllr S Tebele reported that Ald M Sapepa will be late for the meeting due to unforeseen circumstances. The Speaker condoned her absence.

The Speaker afforded the Executive Mayor the opportunity to make a speech with regards to the unrest in Zwelihle, a copy of which is attached as Annexure A to the minutes.

The Speaker allowed the leader of the opposition, Cllr S Tebele, to speak in terms of Rule 5(2) of the Standard By-law on Rules of Order for Internal Arrangements. Cllr S Tebele referred to the latest unrest in Zwelihle and appealed that Council stand united in these difficult times.

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)

**4.1
MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM) POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR JUNE 2018**

(ITEM 4, PAGE 1 : SPECIAL MAYORAL COMMITTEE MEETING : 25 JULY 2018)

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

1. that the deviations from the procurement processes, approved in terms of the delegated authority for June 2018, **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 2018, **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

ALD M SAPEPA JOINED THE MEETING AT 11:26

4.2

SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT – 2017/2018:

4th QUARTER: 01 APRIL 2018 TO 30 JUNE 2018

**(ITEM 5, PAGE 7 : SPECIAL MAYORAL COMMITTEE MEETING :
25 JULY 2018)**

RESOLVED (SUPPORTED BY 24 COUNCILLORS):

that the activities undertaken and outcomes achieved in the implementation of the Overstrand Municipality's Supply Chain Management Policy for the 4th Quarter of 2017/2018 **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

4.3

ANNUAL SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT IN TERMS OF PARAGRAPH 6(2)(a) OF THE POLICY: 2017/2018**(ITEM 6, PAGE 21 : SPECIAL MAYORAL COMMITTEE MEETING : 25 JULY 2018)****RESOLVED (SUPPORTED BY 24 COUNCILLORS):**

1. that the Supply Chain Management Implementation Report for the 2017/2018 financial year submitted in terms of Paragraph 6 of the Supply Chain Management Policy, **be noted**;
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 and Irregular Expenditure **be disclosed** as a note to the Annual Financial Statements for the 2017/2018 financial year.

RESPONSIBLE OFFICIAL : **C LE ROUX**

TARGET DATE FOR IMPLEMENTATION : **TO BE NOTED**

4.4**ANNUAL STOCK TAKING FOR 2017/2018: MUNICIPAL STORES****(ITEM 7, PAGE 66 : SPECIAL MAYORAL COMMITTEE MEETING :
25 JULY 2018)****RESOLVED (SUPPORTED BY 24 COUNCILLORS):**

1. that the surplus and deficit stock be accounted against the appropriate vote numbers; and
2. that the stock as recorded on 30 June 2018 be taken as the starting balance of the 2018/2019 stock register.

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

4.5

QUARTERLY BANK ACCOUNT WITHDRAWALS NOT IN TERMS OF AN APPROVED BUDGET FOR THE QUARTER ENDED JUNE 2018

(ITEM 8, PAGE 118 : SPECIAL MAYORAL COMMITTEE MEETING : 25 JULY 2018)

RESOLVED (SUPPORTED BY 24 COUNCILLORS):

that the consolidated quarterly report in respect of Bank Account Withdrawals not in terms of an Approved Budget for the quarter ended June 2018, **be noted**.

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

4.6**BUDGET REPORT FOR THE QUARTER ENDED JUNE 2018****(ITEM 9, PAGE 121 : SPECIAL MAYORAL COMMITTEE MEETING :
25 JULY 2018)****RESOLVED (SUPPORTED BY 24 COUNCILLORS):**

that the budget report for the quarter ended June 2018, 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**

4.7**SIGNED PERFORMANCE AGREEMENTS OF THE SECTION 54A AND 56 APPOINTEES FOR 2018/19****(ITEM 10, PAGE 172 : SPECIAL MAYORAL COMMITTEE MEETING : 25 JULY 2018)****THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 11:30****THE MEETING RESUMED AT 11:40****RESOLVED (SUPPORTED BY 24 COUNCILLORS):**

that the signed performance agreements of the Section 54A and 56 appointees for 2018/19 **be noted**.

RESPONSIBLE OFFICIAL :**R LOUW****TARGET DATE FOR IMPLEMENTATION :****27 JULY 2018**

4.8

SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)**FOURTH QUARTERLY REPORT: APRIL - JUNE 2018****(ITEM 11, PAGE 432 : SPECIAL MAYORAL COMMITTEE MEETING :
25 JULY 2018)****RESOLVED (SUPPORTED BY 24 COUNCILLORS):**

that the content of the report for the fourth quarter of the 2017/2018 financial year on the top level Service Delivery and Budget Implementation Plan **be noted**.

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

**5.
SAFETY AND PROTECTION OF ZWELIHLE COUNCILLORS**

The Speaker extended the agenda in terms of Rule 5(2) of the Standard By-Law in terms of Rules of Order for Internal Arrangements by Adding a Motion of Exigency which was brought by Cllr S Tebele regarding the safety and protection of Zwelihle Councillors during the current state of unrest. The motion was seconded by Cllr X Msweli. The Speaker recognised the urgency of the motion.

RESOLVED (SUPPORTED BY 24 COUNCILLORS):

that, in view of the protest action in Zwelihle and before a final decision is taken whether councillors should return to Zwelihle, the South African Police Services be approached for guidance whether it is safe for councillors to return.

The meeting adjourned at 12:00

DATE

THE SPEAKER – A COETSEE

COUNCIL 25 JULY 2018: MAYOR'S ADDRESS

Overstrand community is hard hit by the downward turn in the economy, the drought and especially the recent civil unrest action - the effect of which is visible.

For the municipality and the wider community, including businesses, the last number of months have been challenging and we have faced many trials in our efforts to provide services to all.

I would like to express my deepest gratitude to everyone who offered and is still offering help – from the supply of meals for the police and law enforcement agencies and to residents in Zwelihle to community members who are serving at restaurants, also those picking up garbage and assisting the elderly. All these efforts are doing much to assist business to remain open.

For the more than 22 000 residents of Zwelihle, including our councillors residing there, whose daily existence has been marred by the threat to their lives and an impediment of movement, we are especially thankful to people such as you, who are collectively geared towards finding a peaceful and lasting solution to the crisis at hand.

We are also very aware that our public safety and law enforcement officers are at great risk protecting us and to ensure that Zwelihle becomes safe again. The regular patrols and permanent SAPS presence in Zwelihle is having a positive effect and will remain in place to “normalise” the situation.

We would like to acknowledge the role of co-operative governance by thanking the National, Provincial and local politicians and councillors; every division of the Police, the various Disaster Management departments and the Provincial Traffic departments, Church and Community leaders, as well as organisations, our business community and our own municipal law enforcement, traffic officers and officials for their dedication and hard work during long hours.

We have already commenced with clean-up operations in Zwelihle.

We are also most appreciative that the National Minister of Police Bheki Cele and the Western Cape Premier Helen Zille, as well as MPL Masizoli Mnqanesa, have taken time out of their busy schedules to engage with us to ensure a favourable and stable outcome.

It is however with regret and utter sadness that I have to inform you that the damage to the municipality's property, following the civil unrest actions amount to an estimated R39 781 590,00 and is made up of the following:

Zwelihle Satellite Police Station:	1 345 126
Zwelihle Library	5 828 880
Zwelihle Taxi Rank	1 452 000
Zwelihle Informal Trading Stalls	446 770
Zwelihle New Housing Development	1 751 788
Zwelihle/Mount Pleasant Swimming Pool	1 931 647
Housing Offices	6 277 255
Hermanus Sewer Plant	40 000
Fence along Schulphoek Road	399 833
Transfer Station	12 808 291
Recycle Plant	7 500 000
TOTAL	39 781 590

This figure excludes costs to repair infrastructure such as roads and pavements. The cost of the security company contracted to protect strategic Municipal infrastructure, such as the Municipal Offices and the sewerage purification works during this time amounts to approximately R1,7M.

Overstrand was one of the leading municipalities in the country as far as refuse recycling is concerned. As a result of the criminal activities outlined above, we had to cease our recycling program for the time being. No recycling can take place resulting in job losses and the recycle swop shops, which benefitted our children, have now become redundant.

What sense does it make to vandalise stalls at the taxi rank and shops in Swartdam Road where entrepreneurs from Zwelihle try to make a living?

We sincerely hope that yesterday's visit of the National Minister of Police, General Bheki Cele will bear fruit. I am mindful of the call by the Minister of Police for engagements with all concerned –

I however want to state it categorically that the municipality will not engage with people who take part in criminal activities, nor will we engage before law and order has been restored and the situation in Zwelihle has normalised. All stakeholders must respect the offices of the democratically elected councillors. We should contest our political differences at the ballot box and once we have done that, we should all work together for the benefit and betterment of our communities.

We have already commenced with the design of a plan to rebuild the reputation of the Cape Whale Coast as a preferred destination and we will consult with the affected parties. We accept the challenges of going beyond the restoration of normality.

Now, more than ever, we need to work towards finding solutions for the challenges facing us, especially the housing issues - bearing in mind that there is no quick fix.

It is a long road ahead, but we do believe in our communities and towns – we have to get back our hope. From hereon let it once again be a case of 'All hands on deck' so that together we can all play our part in bringing normality back to Zwelihle, Hermanus and the Overstrand in general.

I thank you.

Alderman Dudley Coetzee
Executive Mayor: Overstrand
25 July 2018