



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

A G E N D A

I-AJENDA

DATE / DATUM / UMHLA : 27 NOVEMBER / NOVEMBA 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

22 November / Novemba 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, 27 NOVEMBER 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, 27 NOVEMBER 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 27 NOVEMBER 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, 30 October 2019 at 11:00**

- 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 27 November 2019 had formally sat.

**5.1
WRITING OFF OF IRRECOVERABLE DEBT**

(ITEM 1, PAGE 1 : FINANCE PORTFOLIO - MAYORAL COMMITTEE MEETING : 27 NOVEMBER 2019)

RECOMMENDATION TO THE COUNCIL:

that the irrecoverable debt to the value of R370 865.09 as listed below, be written off as bad debt:

A	First time write off – Indigent Households	R 20 890.36
B	Indigent water leakages irrecoverable	R279 851.31
C	Final accounts equal or less than R1,500.00	R 1 110.21
D	Other irrecoverable Debt	<u>R 69 013.21</u>
	TOTAL	<u>R370 865.09</u>

RESPONSIBLE OFFICIAL :

EM HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

08 DECEMBER 2019

5.2

**A PORTION OF THE REMAINDER OF ERF 1 HAWSTON: RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO SENTECH SOC LTD
DEVIATION FROM PARAGRAPH 26 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015**

(ITEM 6, PAGE 173 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 27 NOVEMBER 2019)

RECOMMENDATION TO THE COUNCIL:

that the deviation from paragraph 26 of the Administration of Immovable Property Policy in order to renew the lease agreement with Sentech SOC Ltd at a rental amount of R393.08 (THREE HUNDRED AND NINETY THREE RAND AND EIGHT CENT) (VAT excluded) per month as from 1 February 2019 and a rental amount of R410.38 (FOUR HUNDRED AND TEN RAND AND THIRTY EIGHT CENT) (VAT excluded) per month as from 1 July 2019 for the 2019/2020 financial year with an annual escalation on the 1st of July equal to the CPI, **be approved.**

RESPONSIBLE OFFICIAL:**W MURTZ****TARGET DATE FOR IMPLEMENTATION:****31 DECEMBER 2019****TARGET DATE TO INFORM APPLICANT:****16 DECEMBER 2019****TARGET DATE TO INFORM OBJECTOR:****N/A**

5.3

IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF ERF 6848 KLEINMOND, ADJACENT TO ERF 7308 KLEINMOND SITUATED IN OVERHILLS, TO THE BREAD OF LIFE ASSEMBLY OF SOUTH AFRICA

(ITEM 9, PAGE 196 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 27 NOVEMBER 2019)

RECOMMENDATION TO THE COUNCIL:

1. that the direct alienation of Erf 6848 Kleinmond (adjacent to Erf 7308 Kleinmond), 162m² in extent, to the owner of the adjoining Erf 7308 Kleinmond, The Bread of Life Assembly South Africa, at an amount of R41,000.00 (FORTY ONE THOUSAND RAND) (VAT excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as the said portion of Erf 6848 Kleinmond is classified as a non-viable property;
3. that, subject to the approval in 1 above, a public participation process be followed at the cost of the applicant/purchaser;
4. that it be noted that a condition for the alienation will be that Erf 6848 Kleinmond must be consolidated with the adjoining property of The Bread of Life Assembly South Africa, being Erf 7308 Kleinmond;
5. that the alienation of Erf 6848 Kleinmond be subject to a suspensive condition that the applicant/purchaser obtains approval for the rezoning and consolidation of the property;
6. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, consolidation, rezoning, transfer and related costs, advertisements, etc., be paid by the applicant/purchaser; and
7. that it be noted that the municipal property herewith envisaged to be alienated is not required for the provision 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 :**N LIEBENBERG****TARGET DATE FOR IMPLEMENTATION :****20 DECEMBER 2019****TARGET DATE TO INFORM APPLICANT:****11 DECEMBER 2019****TARGET DATE TO INFORM OBJECTOR:****N/A**

5.4

IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF THE REMAINDER OF ERF 2715 BETTY'S BAY, ADJACENT TO ERF 3463 BETTY'S BAY, TO MICHAEL DALL FAMILY TRUST**(ITEM 10, PAGE 204 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 27 NOVEMBER 2019)****RECOMMENDATION TO THE COUNCIL:**

1. that the direct alienation of a portion of the Remainder of Erf 2715 Betty's Bay (adjacent to Erf 3463 Betty's Bay), $\pm 3,519\text{m}^2$ in extent, to the owner of the adjoining Erf 3463 Betty's Bay, the Michael Dall Family Trust, at an amount of R20.00/m² (TWENTY RAND) (PER SQUARE METRE) (VAT excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as the said portion of the Remainder of Erf 2715 Betty's Bay is classified as a non-viable property;
3. that, subject to the approval in 1 above, a public participation process be followed at the cost of the applicant/purchaser;
4. that it be noted that a condition for the alienation will be that the said portion of the Remainder of Erf 2715 Betty's Bay must be consolidated with the adjoining property of the Michael Dall Family Trust, being Erf 3463 Betty's Bay;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on the said portion of the Remainder of Erf 2715 Betty's bay, which condition must be registered against the title deed of the property;
6. that the alienation of said portion of the Remainder of Erf 2715 Betty's Bay be subject to a suspensive condition that the purchaser obtains approval for the closure of the public road, subdivision, rezoning and consolidation;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, subdivision, closure of portion of public road, consolidation, rezoning, transfer and related costs, advertisements, etc be paid by the applicant/purchaser, the Michael Dall Family Trust; and
8. that it be noted that the Municipal property herewith envisaged to be alienated is not required for the provision 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 :	N LIEBENBERG
TARGET DATE FOR IMPLEMENTATION :	20 DECEMBER 2019
TARGET DATE TO INFORM APPLICANT:	11 DECEMBER 2019
TARGET DATE TO INFORM OBJECTOR:	N/A

5.5**PORTIONS OF ERVEN 832 AND 249 HERMANUS, WRITE-OFF AND WRITE BACK OF AMOUNTS RAISED – PREVIOUS MARKET SQUARE TRADERS****(ITEM 11, PAGE 217 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 27 NOVEMBER 2019)****RECOMMENDATION TO THE COUNCIL:**

that Council approve the:

1. writing back of a total amount of R130,464.73 (ONE HUNDRED AND THIRTY THOUSAND FOUR HUNDRED AND SIXTY FOUR RAND AND SEVENTY THREE CENTS) representing electrical charges levied on the municipal accounts for the period 1 August 2015 to 31 March 2017;
2. writing back of a total amount of R1,746.79 (ONE THOUSAND SEVEN HUNDRED AND FORTY SIX RAND AND SEVENTY NINE CENTS) representing penalties, administrative and collection costs levied on the municipal accounts for the period 1 August 2015 to 31 March 2017; and
3. writing off of a total amount of R9,311.36 (NINE THOUSAND THREE HUNDRED AND ELEVEN RAND AND THIRTY SIX CENTS) as irrecoverable debt on the municipal accounts for the period 1 August 2015 to 31 March 2017.

RESPONSIBLE OFFICIAL :**A LE ROUX
E HOONENBERG****TARGET DATE FOR IMPLEMENTATION :****30 DECEMBER 2019****TARGET DATE TO INFORM APPLICANT :****17 DECEMBER 2019**

5.6

ERF 2416 BETTY'S BAY, WRITE BACK OF AMOUNTS LEVIED ON MUNICIPAL ACCOUNT: BETTY'S BAY RATEPAYERS ASSOCIATION

(ITEM 13, PAGE 514 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 27 NOVEMBER 2019)

RECOMMENDATION TO THE COUNCIL:

1. that the temporary suspension of rental and charges for municipal services for the period 1 January 2019 to 31 March 2019, due to the fact that the Crassula Hall was used as a collection point and distribution centre during the Betty's Bay fire outbreak in December 2018 and January 2019, **be approved**; and
2. that an amount of R2,711.09 (TWO THOUSAND SEVEN HUNDRED AND ELEVEN RAND AND NINE CENTS) (VAT excluded) representing municipal services charges, insurance charges and rental levied and paid by the Betty's Bay Ratepayers Association for the period 1 January 2019 to 31 March 2019, **be written back**.

RESPONSIBLE OFFICIAL :**N LIEBENBERG****TARGET DATE FOR IMPLEMENTATION :****11 DECEMBER 2019****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.7**ADOPTION OF GOVERNMENT ASSISTED RENTAL HOUSING STRATEGY FOR OVERSTRAND MUNICIPALITY****(ITEM 14, PAGE 520 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 27 NOVEMBER 2019)****RECOMMENDATION TO THE COUNCIL :**

1. that the Government Assisted Rental Housing Strategy for Overstrand Municipality (GARHS) be adopted;
2. that the procurement process to obtain a viable Social Housing Institute (SHI) for the first restructuring zones be commenced with;
3. that Western Cape Government Department of Human Settlement be informed of the adoption of the GARHS;
4. that the municipal rental housing stock situated in Tebele, Tshandu and Lange Streets, Zwelihle (as confirmed by the Housing Department) be subdivided and transferred (or sold) to the current tenants; and
5. that the municipal rental housing stock situated on Erf 243, Mount Pleasant be demolished once Council has approved the development of formal erven.

RESPONSIBLE OFFICIAL :**R KUCHAR****TARGET DATE FOR IMPLEMENTATION :****11 DECEMBER 2019****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.8

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

**(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING :
27 NOVEMBER 2019)**

RECOMMENDATION TO THE COUNCIL:

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

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

5.9

CONTRACT SC 1890/2018: BULK WATER SERVICES OPERATION AND MAINTENANCE: REPORT ON SOCIAL RESPONSIBILITY CONTRIBUTIONS BY VEOLIA WATER SOLUTIONS & TECHNOLOGIES SOUTH AFRICA (PTY) LTD

(ITEM 6, PAGE 9 : MAYORAL COMMITTEE MEETING : 27 NOVEMBER 2019)

RECOMMENDATION TO THE COUNCIL:

that cognisance be taken of the subcontracting to EME's and QSE's to date, as well as social responsibility contributions made to date in the Overstrand area by Veolia Water Solutions and Technologies South Africa (Pty) Ltd in execution of Contract SC 1890/2018, Bulk Water Services Operation and Maintenance, for Overstrand Municipality.

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

5.10

ADJUSTMENTS BUDGET 2019/2020 (NATIONAL AND PROVINCIAL ADJUSTED ESTIMATES, 2019)**(ITEM 7, PAGE 12 : MAYORAL COMMITTEE MEETING : 27 NOVEMBER 2019)****RECOMMENDATION TO THE COUNCIL:**

1. that, in terms of section 28(2)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the Adjustments Budget (National and Provincial Adjusted Estimates, 2019) for 2019/2020 **be approved** as set out in the following schedules, subject to the publication of the Western Cape Adjusted Estimates, 2019 in the Provincial Gazette, indicated publication date 26 November 2019, prior to Council consideration of this item:

- 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

RESPONSIBLE OFFICIAL :**BA KING****TARGET DATE FOR IMPLEMENTATION :****2 DECEMBER 2019**

5.11**REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FOR 2019/20****(ITEM 8, PAGE 98 : MAYORAL COMMITTEE MEETING :
27 NOVEMBER 2019)****RECOMMENDATION TO THE COUNCIL:**

1. that the revised SDBIP for 2019/20 **be approved**;
2. that the amendments to the Top Layer SDBIP for 2019/20 **be approved**; and
3. that the revised SDBIP for 2019/20 **be made public**.

RESPONSIBLE OFFICIAL :**RG LOUW****TARGET DATE FOR IMPLEMENTATION :****2 DECEMBER 2019**

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

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)