



ORDINARY MEETING OF THE COUNCIL

GEWONE VERGADERING VAN DIE RAAD

INTLANGANISO YESIQHELO YEBHUNGA

MINUTES / NOTULE /

IMIZUZU

**DATE / DATUM / UMHLA : 31 OCTOBER / OKTOBER /
OKTOBHA 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 THE COUNCIL MEETING HELD IN THE **BANQUETING HALL**, CIVIC CENTRE, HERMANUS, ON **31 OCTOBER 2018**, AT **11:00**

PRESENT: Councillors were present as per attached attendance register.

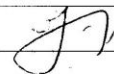
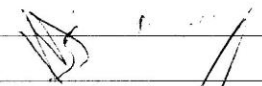
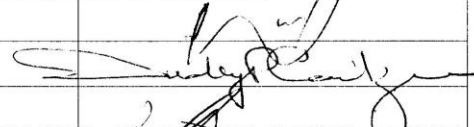

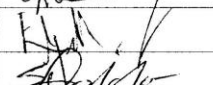
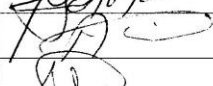
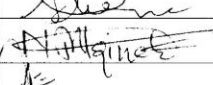
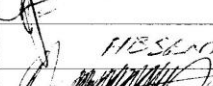
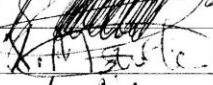
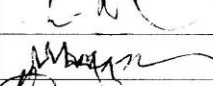
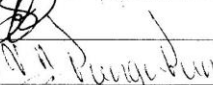
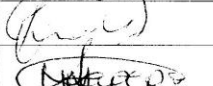







OFFICIALS PRESENT: Mr C Groenewald, Municipal Manager
Ms S Reyneke-Naudé, Director : Finance
Mr R Williams, Director : Community Services
Ms D Arrison, Director : Management Services
Mr S Madikane, Director : Economic Development
Mr N Michaels, Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Mr M Bartman, Deputy Director : Community Services
Mr F Myburgh, Senior Manager : Gansbaai Administration
Mr D Lakey, Senior Manager : Kleinmond Administration
Mr B King, Senior Manager : Financial Services
Mr W Louw, Risk Officer (Intern)
Ms R Louw, Senior Manager : Strategic Services
Mr H Blignaut, Deputy Director : Engineering Services
Mr R Fraser, Chief : Traffic/Licences
Ms M Erasmus, Administrative Office : Property Management
Mr M Rust, Senior Disaster Management Officer
Ms S Swart, Administrative Officer : Council Support Services
ICT
Ms N Zweni, Manager : Communication
Ms R Steenekamp, Social Media & Media Liaison Officer
Ms Z Arendse, Relief Clerk
Ms D Laing, Relief Clerk Grade 2

ALSO PRESENT: Members of the Public

MINUTES/....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

COUNCIL MEETING
31 OCTOBER 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	
KOMANI, AS	
KRIGE, F	
NQINATA, NNT	
MACOTHA, VC	
MAY, C	
MOLEFE, B	
MSWELI, X	
NTSABO, L	
OPPERMAN, M	
ORBAN, J	
PUNGUPUNGU, V	
RESANDT, C	
SAPEPA, NM	
TAFU-NWONKWO, CC	
TEBELE, S	

MISSING WITH NAME

100

1. OPENING

The Municipal Manager, Mr C Groenewald, read the convening notice.

2. APPLICATIONS FOR LEAVE OF ABSENCE

Cllr C May

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 **Wednesday, 26 September 2018 at 11:00**

RESOLVED

that the Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 26 September 2018 at 11:00, be confirmed.**

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

The Overstrand Municipality received a Certificate of Achievement for Excellence in the achievement of the Expanded Public Works Programme Work Opportunity Targets for the period 1 April 2017 to 31 March 2018 from the Western Cape Government: Transport & Public Works. Director S Madikane handed the Certificate over to the Executive Mayor and Municipal Manager.

Long service certificates were handed over to the following staff members by the Executive Mayor, Ald D Coetzee:

HERMANUS ADMINISTRATION

EMPLOYEE	LONG SERVICE YEARS	DATE ACHIEVED
Mr. Angelo Aplon	10 Years	01/10/2018
Mrs. Hanlie Bruwer	10 Years	01/10/2018
Ms. Magrieta Neethling	10 Years	01/10/2018
Mr. Marthinus Rust	10 Years	01/10/2018
Ms. Nozibele Batha	10 Years	13/10/2018
Mr. Aden Adams	10 Years	15/10/2018
Mr. Anton Ndzuzo	10 Years	15/10/2018
Mr. Christo Diedericks	20 Years	15/10/2018
Mr. Eliza Pharo	25 Years	18/10/2018
Mr. Luyanda Dosi	10 Years	22/10/2018

KLEINMOND ADMINISTRATION

EMPLOYEE	LONG SERVICE YEARS	DATE ACHIEVED
Mrs Louisa Aletta Van Eeden	30 Years	01/08/2018
Mr Hilton William John Hull	20 Years	05/10/2018
Mr Alfranco Floris	10 Years	06/10/2018

The Speaker, Ald A Coetsee, reported on a preliminary disciplinary investigation against Cllrs S Tebele en M Opperman who failed to attend the Portfolio Committee meeting on 23 October 2018. He informed the meeting that Cllr S Tebele's absence was condoned and that Cllr M Opperman has made an offer on which an item will serve at the next Council meeting.

The Speaker afforded the Executive Mayor the opportunity to make a speech regarding emergency housing, unforeseeable expenditure as well as the 2nd Review of the 5-year Integrated Development Plan. (The speech is attached as Annexure A to the minutes.)

The Speaker removed Item 5.8 from the agenda as it was referred back by the Executive Mayor.

The Speaker, in terms of Rule 24 of the Standard By-law on Rules of Order for Internal Arrangements, afforded the African National Congress the opportunity to ask questions to the Executive Mayor with reference to his speech and the questions were addressed by the 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)

5.1

FRAUD PREVENTION AND ANTI-CORRUPTION STRATEGY, POLICY AND PLAN 2018/2019

(ITEM 1, PAGE 1 : MANAGEMENT SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)

RESOLVED (SUPPORTED BY 24 COUNCILLORS):

1. that the Fraud Prevention and Anti-Corruption Strategy **be approved**;
2. that the Fraud Prevention and Anti-Corruption Policy **be approved**; and
3. that the Fraud Prevention and Anti-Corruption Plan **be approved**.

RESPONSIBLE OFFICIAL :

A RIDDLES

TARGET DATE FOR IMPLEMENTATION :

1 NOVEMBER 2018

5.2**DRAFT POLICY FOR THE STAGING OF EVENTS****(ITEM 3, PAGE 30 : COMMUNITY SERVICES PORTFOLIO -
MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)****RESOLVED (SUPPORTED BY 24 COUNCILLORS):**

that, in terms of section 11(3)(a) of the Local Government: Municipal Systems Act No 32 of 2000, the draft Policy for the Staging of Events **be adopted**.

RESPONSIBLE OFFICIAL :**L WALLACE
D LAKEY
AREA MANAGER: HERMANUS
F MYBURGH****TARGET DATE FOR IMPLEMENTATION :****18 OCTOBER 2018**

5.3**OVERSTRAND MUNICIPALITY DRAFT EVENTS BY-LAW****(ITEM 4, PAGE 58 : COMMUNITY SERVICES PORTFOLIO -
MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)****RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

1. that, in terms of section 156(2) of the Constitution of the Republic of South Africa, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) the By-law on Events **be adopted**; and
2. that, in terms of section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) the By-law on Events be published promptly in the Provincial Gazette, and if deemed feasible, also in the local newspapers to bring the contents of the By-law to the attention of the local community.

RESPONSIBLE OFFICIAL :**L WALLACE****TARGET DATE FOR IMPLEMENTATION :****DATE OF PROMULGATION IN
GOVERNMENT GAZETTE**

5.4**HOUSING: FINANCE LINKED INDIVIDUAL SUBSIDY PROGRAMME (FLISP)****(ITEM 6, PAGE 106 : COMMUNITY SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)****RESOLVED (SUPPORTED BY 24 COUNCILLORS):**

1. that the policy for the Financed Linked Individual Subsidy Programme (FLISP) and the content of the report **be noted**;
2. that the stands developed for the development of affordable housing in Hawston (107 stands) be allocated to potential beneficiaries which are to be identified from the housing demand database for the catchment area as affordable service residential stands or affordable housing, depending on the directive to be obtained from the Department Human Settlements: Western Cape;
3. that the following procedure for potential beneficiaries to finalise subsidy applications, be approved:
 - (a) that potential beneficiaries be given 30 days written notice to complete their subsidy application documentation; and
 - (b) that potential beneficiaries that do not respond to the first notice (30 days) be given a final written notice of 7 days.
4. 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
D HENDRIKS****TARGET DATE FOR IMPLEMENTATION:****IN PROGRESS**

5.5

HERMANUS: IN PRINCIPLE APPROVAL FOR THE ALIENATION OF A PORTION OF THE REMAINDER OF ERF 241 HERMANUS ADJACENT TO ERF 239 HERMANUS TO DG JORDAAN

(ITEM 2, PAGE 159 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)

RESOLVED (SUPPORTED BY 24 COUNCILLORS):

1. that the direct alienation of a portion of the remainder of Erf 241 Hermanus (adjacent to Erf 239 Hermanus), $\pm 248\text{m}^2$ in extent, to the owner of the adjoining Erf, DG Jordaan, at an amount of R327.40/m² (THREE HUNDRED AND TWENTY SEVEN RAND AND FORTY CENTS) (PER SQUARE METRE) (VAT excluded) be **approved in principle**;
2. that Council take cognisance of the fact that the direct alienation is approved as the said portion of the remainder of Erf 241 Hermanus is classified as a non-viable property;
3. that the abovementioned approval in principle be subject to a public participation process being followed at the cost of the Applicant due to the non-viability of the property;
4. that said portion of the remainder of Erf 241 Hermanus must be consolidated with the adjoining property of DG Jordaan, being Erf 239 Hermanus;
5. that the alienation of said portion of the remainder of Erf 241 Hermanus, be subject to obtaining the necessary closure, subdivision, rezoning and consolidation approvals;
6. 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;
7. that the purchaser will be responsible for the cost of the relocation of the existing electrical cables on the said portion of the Remainder of Erf 241 Hermanus;
8. that no structures of any kind (excluding a boundary wall or fence) may be erected on the said portion of the Remainder of Erf 241 Hermanus; and

9. that it is confirmed that Council has taken cognisance of the fact that the Municipal property herewith 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 :

3 DECEMBER 2018

TARGET DATE TO INFORM APPLICANT:

14 NOVEMBER 2018

TARGET DATE TO INFORM OBJECTOR:

N/A

5.6

GANSBAAI: TRANSFER OF UNREGISTERED CONSOLIDATED ERF 4081 GANSBAAI, 2.25 HECTARES IN EXTENT, FOR THE DEVELOPMENT AND MANAGEMENT OF A HOSPITAL

(ITEM 3, PAGE 168 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)

THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 11:55

THE MEETING RESUMED AT 12:10

THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 12:15

THE MEETING RESUMED AT 12:25

CLLR S TEBELE CALLED FOR A POINT OF ORDER IN TERMS OF RULE 23(3) OF THE STANDARD BY-LAW ON RULES OF ORDER FOR INTERNAL ARRANGEMENTS WHILE CLLR J ORBAN WAS HOLDING THE FLOOR. CLLR S TEBELE REQUESTED THAT CLLR J ORBAN WITHDRAW HIS WORDS "... THESE CONVERSATIONS WOULD NOT BE SO TEDIOUS".. THE SPEAKER RULED THAT IT IS NOT NECESSARY FOR CLLR J ORBAN TO WITHDRAW HIS WORDS.

CLLR D BOTHA CALLED FOR A POINT OF ORDER IN TERMS OF RULE 21 (4) AGAINST THE AFRICAN NATIONAL CONGRESS WHO HE FELT ATTACKED THE DEMOCRATIC ALLIANCE'S INTEGRITY. THE SPEAKER RULED THAT THE POINT OF ORDER IS NOT DIRECTED TO A SPECIFIC PERSON AND OVERRULED THE POINT OF ORDER.

THE SPEAKER STOOD THE MEETING DOWN AT 12:55

THE MEETING RESUMED AT 13:00

THE SPEAKER STOOD THE MEETING DOWN AT 13:00

THE MEETING RESUMED AT 13:15

RESOLVED (SUPPORTED BY 15 COUNCILLORS):

1. that the transfer of unregistered consolidated Erf 4081 Gansbaai, 2.25 ha in extent, for the development and management of a hospital, to Cape Ethical Organics (Pty) Ltd for the amount of R2,000,000.00 (TWO MILLION RAND) (VAT included), **be approved subject to the fulfilment of the following condition:**

- that Cape Ethical Organics (Pty) Ltd obtain all relevant licences and/or consents from all the relevant authorities, to operate a hospital on the property within 18 (EIGHTEEN) months of date of signature of the Deed of Sale, or any extended period as agreed to upon in writing between the parties;
2. that the Municipal Manager be authorised to sign all documents relating to the transfer of unregistered consolidated Erf 4081 Gansbaai, to Cape Ethical Organics (Pty) Ltd;
 3. that cognisance be taken of the fact that the subject portion of Municipal property 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, No 56 of 2003; and
 4. that Cape Ethical Organics (Pty) Ltd be responsible for all the costs pertaining to the advertisement of the transfer and all costs involved with the registration of the transfer in the Deeds Office, costs involved with the registration of the transfer in the Deeds Office, including but not limited to registering a Certificate of Registered Title and/or Certificate of Consolidated Title, if necessary.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2018

TARGET DATE TO INFORM APPLICANT :

15 NOVEMBER 2018

COUNCILLORS S TEBELE, X MSWELI, C TAFU-NWONKWO, ALD M SAPEPA, COUNCILLORS V PUNGUPUNGU, V MACOTHA, N NQINATA, S KALOLO AND B MOLEFE REQUESTED THAT IT BE MINUTED THAT THEY DISTANCE THEMSELVES FROM THIS MATTER

5.7

HERMANUS, VARIOUS PORTIONS OF MUNICIPAL PROPERTY: DEVIATION FROM PARAGRAPHS 18 AND 24 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO TEMPORARY LEASE AGREEMENTS WITH VODACOM (PTY) LTD

(ITEM 4, PAGE 175 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)

RESOLVED (SUPPORTED BY 24 COUNCILLORS):

1. that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to renew the current lease agreements with Vodacom (Pty) Ltd in respect of a portion of Erf 2595 Onrustvriev and a portion of Erf 1253 Hermanus for a further period of 12 (TWELVE) months without following a competitive process, **be approved**; and
2. that the deviation from paragraph 24 of the Administration of Immovable Property Policy in order to renew the current lease agreements with Vodacom (Pty) Ltd without having a new market related valuation being done, **be approved**.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2018

TARGET DATE TO INFORM APPLICANT :

19 NOVEMBER 2018

TARGET DATE TO INFORM OBJECTOR :

N/A

CLLR S TEBELE LEFT THE MEETING AT 13:30 WITH PERMISSION FROM THE SPEAKER

5.8

HAWSTON, A PORTION OF ERF 1 HAWSTON, ALSO KNOWN AS THE HAWSTON TAXI RANK STALLS: DEVIATION FROM PARAGRAPHS 4 AND 20.1(b), OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO FURTHER LEASE AGREEMENTS WITH VARIOUS LESSEES

THIS ITEM WAS REMOVED FROM THE AGENDA

5.9

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

**(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING : 31 OCTOBER
2018)**

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

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

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

5.10

**SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT – 2018/2019:
1st QUARTER: 01 JULY 2018 – 30 SEPTEMBER 2018**

**(ITEM 6, PAGE 9 : MAYORAL COMMITTEE MEETING : 31 OCTOBER
2018)**

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

that the activities undertaken and outcomes achieved in the implementation of the Overstrand Municipality's Supply Chain Management Policy for the 1st Quarter of 2018/2019 **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

5.11

BUDGET REPORT FOR THE QUARTER ENDED SEPTEMBER 2018

(ITEM 7, PAGE 25 : MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

that the budget report for the quarter ended September 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

5.12

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

(ITEM 8, PAGE 82 : MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

that the consolidated quarterly report, as per Annexure A to the item, in respect of Bank Account Withdrawals not in terms of an Approved Budget for the quarter ended September 2018, **be noted**.

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

5.13

**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FIRST QUARTERLY REPORT: JULY- SEPTEMBER 2018**

**(ITEM 9, PAGE 85 : MAYORAL COMMITTEE MEETING : 31 OCTOBER
2018)**

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

that the content of the report for the first quarter of the 2018/19 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

5.14

CONTRACT NO.: SC1870/2018: PROPOSED AWARD BEYOND THE THREE YEARS COVERED IN THE FINANCIAL YEAR FOR PROVISION OF MULTI-FUNCTIONAL OFFICE MACHINES FOR A CONTRACT PERIOD ENDING 30 JUNE 2021

(ITEM 10, PAGE 118 : MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

1. that **cognisance be taken of the reasons** to award Contract No. SC1870/2018 for Provision of multi-functional office machines for a contract period ending 30 June 2021 to end 30 September 2021, in terms of enabling provisions of Section 33 of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the **award be consented to**; and
2. that **cognisance be** taken that no recommendations or representations were received from the local community or other stakeholders by the closing date of 10 September 2018.

RESPONSIBLE OFFICIAL :**J VAN ASPEREN****TARGET DATE FOR IMPLEMENTATION :****1 NOVEMBER 2018**

5.15

LONG TERM WASTE DISPOSAL AGREEMENT BETWEEN OVERSTRAND MUNICIPALITY, THE OVERBERG DISTRICT MUNICIPALITY, AND THEEWATERSKLOOF MUNICIPALITY WITH REGARDS TO THE KARWYDERSKRAAL REGIONAL LANDFILL SITE

(ITEM 11, PAGE 132 : MAYORAL COMMITTEE MEETING : 31 OCTOBER 2018)

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

1. that Council **takes cognisance** of the response received from the Department of Environmental Affairs and Development Planning to the request for comments, representations, views and recommendations in respect of the long term Waste Disposal Service Level Agreement between Overstrand Municipality, the Overberg District Municipality, and Theewaterskloof Municipality in respect of the Karwyderskraal Regional Landfill Site, in terms of the enabling provisions of Section 33 of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003); and
2. that it be determined that Overstrand Municipality will derive a significant economic financial benefit from the long term Service Level Agreement and entering into the agreement **be confirmed**.

RESPONSIBLE OFFICIALS :**H BLIGNAUT
J VAN TAAK****TARGET DATE FOR IMPLEMENTATION :****COMMISSIONING DATE OF
KARWYDERSKRAAL CELL 4,
CURRENTLY ESTIMATED TO
BE 1 MARCH 2019**

5.16

SUBMISSION OF THE OVERSTRAND SUSTAINABLE TRANSPORT PLAN

**(ITEM 12 PAGE 169 : MAYORAL COMMITTEE MEETING :
31 OCTOBER 2018)**

THE AFRICAN NATIONAL CONGRESS INDICATED THAT THEY ARE AGAINST THE RECOMMENDATION AND CLLR V MACOTHA MADE A COUNTER PROPOSAL TO THE EFFECT THAT THE ITEM BE REFERRED BACK.

WHEN PUT TO VOTE 7 MEMBERS VOTED IN FAVOUR OF THE RECOMMENDATION BY CLLR V MACOTHA AND 16 MEMBERS VOTED AGAINST THE RECOMMENDATION OF CLLR V MACOTHA.

THE RECOMMENDATION OF THE EXECUTIVE MAYOR WAS THUS CARRIED.

RESOLVED (SUPPORTED BY 16 COUNCILLORS):

that the content of the Overstrand Provincial Sustainable Transport Programme **be noted and be endorsed.**

RESPONSIBLE OFFICIAL :

DER HENDRIKS

TARGET DATE FOR IMPLEMENTATION :

31 OCTOBER 2018

6. CONSIDERATION OF REPORTS**6.1****RECESS: DECEMBER 2018 / JANUARY 2019****3/2/1/4****H van Tonder****(028) 313 8037****Corporate Head Office****12 October 2018**

EXECUTIVE SUMMARY

The purpose of the report is to obtain confirmation of Council's recess from 28 November 2018 to 20 January 2019 and related matters.

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

1. that the proposed period of recess, ie **28 November 2018, immediately after the meeting of Council, to 20 January 2019 (the latter included) be approved;**
2. that, during the period of recess, all urgent matters / emergency situations be dealt with by the Executive Mayor in consultation with the Municipal Manager, except those reserved by law for full Council;
3. that the municipal offices in the Overstrand area, including libraries, but excluding other essential services, **be closed for the general public on Monday, 24 December 2018 and Monday, 31 December 2018** and respectively reopen at 07:45 on Thursday, 27 December 2018, and Thursday, 3 January 2019;
4. that the public and personnel be informed timeously and in an appropriate way, of the arrangement in 3 above; and
5. that **cognisance be taken** that a **Special Council Meeting** will take place on **Wednesday, 23 January 2019** and that in 2019 the first meeting of the **Joint Portfolio Committee** will be held on **19 February 2019 at 10:00**, the **Mayoral Committee** on **27 February 2019 at 10:00** and the **Council Meeting** on **27 February 2019 at 11:00** in the Banqueting Hall, Civic Centre, Hermanus.

RESPONSIBLE OFFICIAL :**H VAN TONDER****TARGET DATE FOR IMPLEMENTATION :****28 NOVEMBER 2018**

6.2**NON-COMPLIANCE WITH SECTION 126(1)(a) OF THE LOCAL GOVERNMENT:
MUNICIPAL FINANCE MANAGEMENT ACT, NO.56 OF 2003 (MFMA)****3/2/3/8****S Reyneke-Naude/H van Tonder (028) 313 8040****Corporate Head Office****24 October 2018**

EXECUTIVE SUMMARY

The purpose of the report is to inform Council of the outcome of the investigation done by the Municipal Public Accounts Committee (MPAC) regarding the reasons for the late submission of the annual financial statements to the Auditor-General as contemplated in section 133(1)(c) of the MFMA.

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

1. that the reasons that have been provided are found to be justified in terms of the late submission of the Annual Financial Statements; and
- 2 that it be noted that the Municipal Public Accounts Committee supports any actions in resolving the audit finding.

RESPONSIBLE OFFICIAL :**S REYNEKE-NAUDE****TARGET DATE FOR IMPLEMENTATION :****14 DECEMBER 2018**

6.3**INVESTIGATION INTO THE INSTANCE OF FRUITLESS AND WASTEFUL EXPENDITURE: REFUND CLAIMED IN RESPECT OF COSTS INCURRED BY MR JA OSTER, OWNER OF PROPERTY: ERF 4278, HERMANUS (VOËLKLIP)****3/2/3/8****E Hooneberg/H van Tonder (028) 313-8149****Corporate Head Office****24 October 2018**

EXECUTIVE SUMMARY

The purpose of this report is to request Council to write off the fruitless and wasteful expenditure for the refund paid in respect of costs incurred by Mr JA Oster, owner of property: Erf 4278, Hermanus (Voëlklip) in terms of section 32(2)(a)(ii) of the Local Government: Municipal Finance Management Act 2003, (Act 56 of 2003).

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

that the Fruitless and Wasteful Expenditure to the value of R14 364 in relation to the refund paid in respect of costs incurred by Mr JA Oster, owner of property: Erf 4278, Hermanus (Voëlklip) be certified as irrecoverable and written off in terms of section 32(2)(b) of the Local Government: Municipal Finance Management Act, Act 56 of 2003.

RESPONSIBLE OFFICIAL :**B KING
C LE ROUX****TARGET DATE FOR IMPLEMENTATION :****14 DECEMBER 2018**

6.4**INVESTIGATION INTO THE INSTANCE OF LEASE OF ERF 4485, KLEINMOND FOR OFFICE ACCOMMODATION – ACM KRIGE****3/2/3/8****C Le Roux/H van Tonder
24 October 2018****(028) 313-8052****Corporate Head Office**

EXECUTIVE SUMMARY

The purpose of the report is to provide the necessary information to take an informed decision when considering the facts and circumstances regarding the irregular expenditure incurred for the lease of Erf 4485, Kleinmond used for office accommodation for the Town Planning Section in Kleinmond.

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

that, in view of the municipality having received value for money for expenses incurred for the lease of Erf 4485, Kleinmond for the period 10 July 2008 to 30 June 2012, the expenditure, in total R191 880 (no VAT applicable), be certified as irrecoverable and be written off in terms of section 32(2)(b) of the Local Government: Municipal Finance Management Act, Act 56 of 2003.

RESPONSIBLE OFFICIAL :**B KING
C LE ROUX****TARGET DATE FOR IMPLEMENTATION :****14 DECEMBER 2018**

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

None

8. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

None

9. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)

None

The meeting adjourned at 13:45

DATE

THE SPEAKER – A COETSEE

**EXECUTIVE MAYOR DIRECTIONAL SPEECH FOR THE
2019/20 IDP REVIEW AND 2019/2022 BUDGET PROCESSES
31.10.2018, COUNCIL MEETING**

Mr Speaker,

On the 31st of May 2018 I reported the initiative to provide emergency housing in the Overstrand, to council. Subsequently I also approved the criteria for potential beneficiaries to participate in the emergency housing initiatives.

The progress to date is as follows:

MASAKHANE, GANSBAAI:

- 150 stands were developed;
- 109 beneficiaries where vetted from 1100 names received from the community;
- 54 stands have been occupied;
- 49 potential beneficiaries' resident in backyards preferred to stay at their current accommodation and wait for an opportunity in the IRDP housing project for the area.

The administration will through consultations with the community identify other potential beneficiaries.

STANFORD:

- 150 stands were developed;
- 90 beneficiaries where vetted from 110 names received from the community;
- The Stanford Social Compact committee will submit names of further potential beneficiaries;
- Occupation of these sites will commence on the 5th of November 2018.

OVERHILLS, KLEINMOND:

- By August 2018 a number of 214 structures were erected by people that invaded land adjacent to the existing informal settlement;
- 16 families are not first time home-owners and eviction will be considered;
- 8 informal units were erected at the time outside the boundaries identified for the informal area and these units will be relocated to within the demarcated boundaries;

A meeting was held on 22 October 2018 at Kleinmond with all role-players identified by the local Ward Councillors. An action plan (roadmap) is to be finalised and implemented to resolve outstanding matters and challenges in the particular informal area.

ZWELIHLE:

The portion of land identified for emergency housing behind the Hermanus swimming pool has unfortunately been declared as unsafe for housing. The installation of services was however stopped during August 2018, and subsequently a new portion was identified along Swartdam road and the area of the vandalised transfer station. I have requested the administration to move the informal settlements that have been erected behind the swimming pool to the area previously used as the transfer station.

- 150 stands were developed along the Swartdam road area;
- Only 114 beneficiaries could be vetted from list provided by Zwelihle Renewal;
- 100 potential beneficiaries could be vetted from the first 150 people on the housing demand database;
- 214 potential beneficiaries were therefore vetted.
- 103 structures have already been erected.

LAND-INVASIONS, ZWELIHLE:

Law Enforcement have counted that approximately 1300 informal units were built on the closed building rubble-, refuse dumpsites and behind the vandalised Hermanus swimming pool. A number of approximately 800 units were also built on the Schulphoek land and partly on a small portion of municipal land. The administration is in the process of providing basic services on periphery of these areas and investigating the availability of suitable for the settlement of the families. The criteria applicable on various housing programmes, including emergency housing will be applied.

Mr Speaker,

I now need to inform you in terms of the provisions of section 29 of the Local Government: Municipal Finance Management, Act 2003 (Act 56 of 2003) that I have, on request from the Municipal Manager, authorised unforeseen and unavoidable capital expenditure for which no provision was made in the 2018 / 2019 Capital Budget of the Municipality.

This authorisation was as a result of discussions to consider the provision of at least water, sanitation and refuse removal services to mitigate health risks for emergency housing due to recent land invasions.

The total capital cost (excl vat) for the projects started and still to be completed is at this stage estimated at R1 470 000, with a further estimate for additional funding for water of R540 000 and sanitation R990 000 respectively.

This expenditure of R3 000 000 will be appropriated in a forthcoming adjustment budget.

Mr Speaker, that brings me to the 2nd review of the current 5 year Integrated Development Plan (IDP) of 2017/2021. This process has started.

An IDP review allows Council the opportunity to “**pause and assess**” – Are we are still on track in attaining the strategic direction set in the 5 year IDP for the period 2017/2021?

For the 2019/2020 IDP review the Overstrand Executive Management Team has collectively decided **to retain** the strategic direction set in the current 5 year IDP. Our vision, mission and strategic objectives will therefor **remain unchanged**.

With the 2019/2020 IDP review process, we acknowledge the highlights of the past financial year **but** more importantly the areas that require our attention moving forward.

Allow me to reflect on some preliminary priorities for the 2019/2020 IDP review process:

The civil unrest of the past few months impacted our community. The municipality has initiated a mediation process between all affected parties. We will also approve and implement a strategy to deal with civil unrest in the Municipality.

We will launch a diversity management initiative to amongst other promote anti-racism in the Overstrand.

Through our communication efforts we will proactively work to restore the relationship between the Municipality and our Overstrand community.

The municipality acknowledges the increasing housing need. Some of the actions proposed are:

- To rethink our housing strategy and investigate the provision of more serviced sites and less top structures;
- To investigate the creation of a new town or the extension of an existing town in the Greater Hermanus area;
- To investigate proposals for the “management” of backyard dwellings in the Overstrand.

There is a need for government support services in the Municipal area to advance social upliftment. We must intensify our efforts to lobby government departments to take up permanent office space at the Hawston Thusong centre. Similarly, we must source funding for the extension of the Thusong centre.

We will finalise the informal trading by-law with the aim to stimulate the informal economy in disadvantaged areas.

The review of our Spatial Development Framework (SDF) is in progress and it must allow for growth and development in the municipal area.

We are in the process to re-instate our refuse recycling strategy.

Colleagues as you can hear, the 2019/2020 IDP review process is well underway and you are welcome to engage me on the **preliminary priorities** cited above.

As you know the IDP informs the Municipal Budget. Therefor parallel with the IDP review process is the compilation of the 2019/2020 Draft Budget.

After budget consideration, the proposed priorities cited earlier will appear in the draft 2019/2020 IDP review before Council in March 2019 for approval. The draft 2019/2020 Budget will also serve before Council in March 2019.

As always, the public will have the opportunity in April 2019 to submit written inputs on both the draft IDP review and draft Budget.

I thank you