



ORDINARY MEETING OF THE COUNCIL

GEWONE VERGADERING VAN DIE RAAD

INTLANGANISO YESIQHELO YEBHUNGA

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 27 SEPTEMBER / SEPTEMBER
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 27 SEPTEMBER 2017, AT 11:00

PRESENT: Councillors were present as per attached attendance register.

OFFICIALS PRESENT:


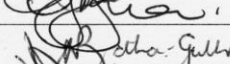
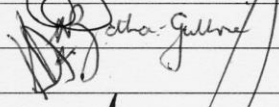
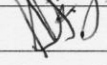

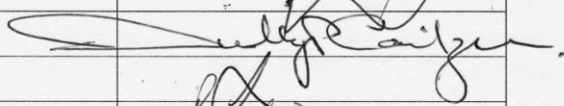
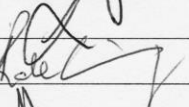
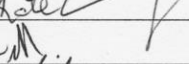
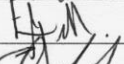
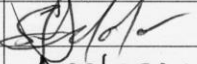
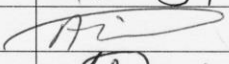
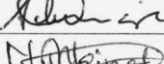
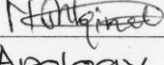
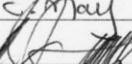


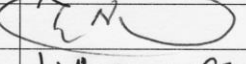
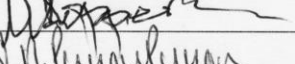
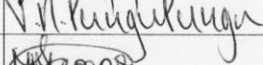
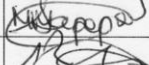

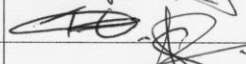

Mr C Groenewald, Municipal Manager
Ms S Reyneke-Naudé, Director : Finance
Mr M Bartman, Acting Director : Community Services
Ms D Arrison, Director : Management Services
Mr S Madikane, Director : LED
Mr N Michaels, Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Mr C le Roux, Deputy Director : Finance
Mr H Blignaut, Deputy Director : Engineering Services
Mr F Myburgh, Senior Manager : Gansbaai Administration
Mr R Kuchar, Senior Manager : Town Planning
Mr J Schoeman, Fire Prevention
Mr J du Toit, Inspector : Special Investigations
Mr W Louw, Risk Officer (Intern)
Mr L Wallace, Legal Advisor
Mr A Olivier, Legal Advisor
Mr D van der Heever, Internal Audit Executive
Ms H van Tonder, Manager : Council Support Services
Ms S Swart, Administrative Officer : Council Support Services
ICT
Ms N Zweni, Manager : Communication
Ms C Resandt, Communication Officer
Mr A Gcotyelwa, Housing Officer Acting as Interpreter
Ms M de Villiers, Mayoral Committee Secretary
Ms G Erasmus, Clerk : Auditorium
Ms D Laing, Relief Clerk Grade 2
Ms S Carelse, PRO : Executive Mayor
Members of the Public

ALSO PRESENT:

MINUTES/....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

COUNCIL MEETING
27 SEPTEMBER 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	
KLOPPERS-LOURENS J	Apology
KOMANI, AS	
KRIGE, F	
NQINATA, NNT	
MACOTHA, VC	Apology
MAY, C	
MOLEFE, B	
MSWELI, X	
NTSABO, L	
OPPERMAN, M	
PUNGUPUNGU, V	
SAPEPA, NM	
SMITH, RJ	
TAFU-NWONKWO, CC	
TEBELE, S	

W
W

1. OPENING

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

2. APPLICATIONS FOR LEAVE OF ABSENCE

Cllr J Kloppers-Lourens

RESOLVED

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

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 **Wednesday, 30 August 2017** at **11:00**

RESOLVED

that the Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 30 August 2017** at **11:00**, **be confirmed.**

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

The Executive Mayor, Ald R Smith, thanked all councillors, officials and members of the public, as well as Ministers D Plato and Dr Ivan Meyer from Provincial Government and Commissioner Chris Nissen from the Human Rights Commission who assisted in finding a solution to the problems which were experienced in Kleinmond.

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

HERMANUS ADMINISTRATION

Employee	Long service years	Date achieved
Miss RK Beukes	10 years	1 September 2017
Mr FW Floors	10 years	1 September 2017
Mr A Beukes	10 years	10 September 2017
Mr GA Salies	10 years	10 September 2017
Mr S Paulse	25 years	1 September 2017
Mrs EU Swart	30 years	1 September 2017
Mr BL May	30 years	1 September 2017
Mr BW Fortuin	10 years	1 July 2017

GANSBAAI ADMINISTRATION

Employee	Long service years	Date achieved
Miss AM Albertyn	10 years	3 September 2017
Mr J van Lill	10 years	1 September 2017

KLEINMOND ADMINISTRATION

Employee	Long service years	Date achieved
Mr D J Miennies	10 years	1 September 2017
Mr J Nyangiwe	15 years	3 September 2017
Mr SJ Abrahamse	10 years	10 September 2017

The Speaker, Ald A Coetsee, congratulated Cllr S Tebele on his appointment as Chairperson of the Western Cape Association of Municipal Public Accounts Committees.

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
COMBINED ASSURANCE POLICY FRAMEWORK**

(ITEM 1, PAGE 1 : MANAGEMENT SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 19 SEPTEMBER 2017)

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

that the Overstrand Municipality Combined Assurance Policy Framework **be approved.**

RESPONSIBLE OFFICIAL :

A RIDDLES

TARGET DATE FOR IMPLEMENTATION :

28 SEPTEMBER 2017

5.2

ERF 3819, GANSBAAI, OVERSTRAND MUNICIPAL AREA : AMENDMENT OF THE OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK, REZONING AND CONSENT USE : MESSRS PLAN ACTIVE ON BEHALF OF PREMIER FISHING SA (PTY) LTD

(ITEM 2, PAGE 41 : INFRASTRUCTURE AND PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 19 SEPTEMBER 2017)

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

that the application for the amendment of the Overstrand Spatial Development Framework, 2006 in order to change the reservation from industrial in relation to harbour industry and mariculture to agricultural purposes in relation to aquaculture purposes in order to conduct an abalone farm in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved.**

RESPONSIBLE OFFICIAL :

SW VAN DER MERWE

TARGET DATE FOR IMPLEMENTATION :

18 OCTOBER 2017

TARGET DATE TO INFORM APPLICANT :

18 OCTOBER 2017

TARGET DATE TO INFORM OBJECTOR :

18 OCTOBER 2017

5.3

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR AUGUST 2017**

**(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING :
27 SEPTEMBER 2017)**

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

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

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

5.4

MUNICIPAL REGULATIONS ON A STANDARD CHART OF ACCOUNTS (mSCOA): POST IMPLEMENTATION STATUS OF THE mSCOA IMPLEMENTATION PROJECT

(ITEM 6, PAGE 7 : MAYORAL COMMITTEE MEETING : 27 SEPTEMBER 2017)

RESOLVED (SUPPORTED BY 23 COUNCILLORS):

that the mSCOA Post Implementation Progress Report, as well as the intentions of the Municipality going forward, **be noted**.

RESPONSIBLE OFFICIALS:

**S REYNEKE-NAUDE
C LE ROUX
B KING
E HOONEBERG
H VORSTER**

TARGET DATE FOR IMPLEMENTATION :

1 OCTOBER 2017

5.5**PROPOSED AMENDMENT OF CONTRACT SC 867B/2010: OPERATION OF THE MECHANISED MATERIAL RECOVERY FACILITY (MMRF) AT THE HERMANUS SOLID WASTE TRANSFER STATION****(ITEM 7, PAGE 12 : MAYORAL COMMITTEE MEETING : 27 SEPTEMBER 2017)****RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

1. that **cognisance be taken of the reasons** for the proposed amendment of Contract SC867B/2010 for the Operation of the Mechanised Material recovery Facility at the Hermanus Solid Waste Transfer Station, in terms of the enabling provisions of Sections 33 and 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the **amendment 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 28 August 2017.

RESPONSIBLE OFFICIALS :**H BLIGNAUT
J VAN TAAK****TARGET DATE FOR IMPLEMENTATION :****1 OCTOBER 2017****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

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

None

7. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

Three (3) motions were submitted in terms of Section 26 of the Standard By-Law on Rules of Order for Internal Arrangements for consideration:

THE SPEAKER, ALD A COETSEE, HANDED THE CHAIR OVER TO CLLR K BRICE, SECUNDUS TO THE SPEAKER, FOR THE DURATION OF DEBATING ON THE FOLLOWING MATTER:

1. Motion of No Confidence in the Speaker

Cllr S Tebele submitted the above-mentioned motion, which was seconded by Cllr X Msweli. Cllr L Ntsabo brought a motion in terms of Section 36 of the Standard By-Law on Rules of Order for Internal Arrangements to put the matter to vote, which motion was seconded by Cllr F Africa.

THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 11:25

THE MEETING RESUMED AT 11:35

THE CHAIRPERSON GRANTED APPROVAL FOR THE MATTER TO BE DECIDED UPON BY MEANS OF SECRET BALLOT

WHEN THE MATTER WAS PUT TO VOTE, 7 MEMBERS VOTED IN FAVOUR OF THE MOTION AND 14 MEMBERS VOTED AGAINST THE MOTION. 1 (ONE) BALLOT WAS SPOILED AND 1 (ONE) ABSTENTION.

THE MOTION OF NO CONFIDENCE AGAINST THE SPEAKER WAS THUS NOT CARRIED AND THE SPEAKER TOOK THE CHAIR

CLLR E GILLION WAS GRANTED PERMISSION TO LEAVE THE MEETING AT 11:58

CLLR E GILLION REJOINED THE MEETING AT 12:10

2. Motion of No Confidence in the Executive Mayor

Cllr S Tebele submitted a motion of no confidence against the Executive Mayor, which motion was seconded by Cllr X Msweli. Cllr A Komani brought a motion in terms of Section 36 of the Standard By-Law on Rules of Order for Internal Arrangements to put the matter to vote, which motion was seconded by Cllr F Africa.

THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 12:16

THE MEETING RESUMED AT 12:30

THE SPEAKER GRANTED APPROVAL FOR THE MATTER TO BE DECIDED UPON BY MEANS OF SECRET BALLOT

THE MEETING STOOD DOWN AT 11:43 FOR THE PURPOSE OF VOTING

THE MEETING RESUMED AT 12:55

WHEN THE MATTER WAS PUT TO VOTE, 7 MEMBERS VOTED IN FAVOUR OF THE MOTION AND 15 MEMBERS VOTED AGAINST THE MOTION. 1 (ONE) BALLOT WAS SPOILED.

THE MOTION OF NO CONFIDENCE AGAINST THE EXECUTIVE MAYOR WAS THUS NOT CARRIED

3. Motion regarding Investigation into the Availability of Land for a New Township

Cllr S Tebele submitted a motion for an urgent investigation into the availability of land for a new township, which motion was seconded by Cllr V Pungupungu. Cllr D Botha responded on the motion indicating that the ruling party supports integrated housing development as opposed to a township development for a specific group of people. Cllr G Cohen brought a motion in terms of Section 36 of the Standard By-Law on Rules of Order for Internal Arrangements to put the matter to vote, which motion was seconded by Cllr F Krige.

THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 13:10

THE MEETING RESUMED AT 13:20

THE SPEAKER GRANTED APPROVAL FOR THE MATTER TO BE DECIDED UPON BY MEANS OF SECRET VOTE

THE MEETING STOOD DOWN AT 13:25 FOR THE PURPOSE OF VOTING

THE MEETING RESUMED AT 13:40

WHEN THE MATTER WAS PUT TO VOTE, 8 MEMBERS VOTED IN FAVOUR OF THE MOTION AND 15 MEMBERS VOTED AGAINST THE MOTION.

THE MOTION FOR AN URGENT INVESTIGATION INTO THE AVAILABILITY OF LAND FOR A NEW TOWNSHIP WAS THUS NOT CARRIED

8. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)

Cllr S Tebele submitted a motion of exigency to the effect that it has come to his attention that a constitution was compiled for the Mayoral Fund and that the Overstrand Municipality's logo is going to be changed for the purpose of the Mayoral Fund.

THE MEETING STOOD DOWN AT 13:45 FOR THE SPEAKER TO CONSIDER THE EXIGENCY OF THE MOTION

THE MEETING RESUMED AT 13:50

The Speaker deemed the motion not to be urgent and the matter was not dealt with further.

The meeting adjourned at 13:55

DATE

THE SPEAKER – A COETSEE