



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

**A G E N D A**

**I-AJENDA**

**DATE / DATUM / UMHLA : 26 SEPTEMBER / SEPTEMBER**  
**2018**

**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

21 September / Septemba 2018

## **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, 26 SEPTEMBER 2018** 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**

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## **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, 26 SEPTEMBER 2018** 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**

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## **ISAZISO ESIYA KUBO BONKE OOCEBAKHULU NOOCEBA**

### **INTLANGANISO YESIQHELO YEBHUNGA LIKAMASIPALA WE-OVERSTRAND**

**OKU KUKWAZISA** ukuba intlanganiso **YESIQHELO yeBHUNGA LIKAMASIPALA WE-OVERSTRAND**, iza kuba se **Banqueting Hall, kwiZiko LoLUNTU, eHermanus ngoLWESITHATHU, Umhla we 26 SEPTEMBER 2018 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, 29 August 2018 at 15:30**
  
- 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 26 September 2018 had formally sat.

**5.1**

**RISK MANAGEMENT IMPLEMENTATION PLAN 2018/2019**

**(ITEM 1, PAGE 1 : MANAGEMENT SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 26 SEPTEMBER 2018)**

**RECOMMENDATION TO THE COUNCIL:**

that the Overberg District Risk Management Implementation Plan for 2018/2019 **be approved.**

**RESPONSIBLE OFFICIAL :**

**A RIDDLES**

**TARGET DATE FOR IMPLEMENTATION :**

**27 SEPTEMBER 2018**

## 5.2

**DRAFT AMENDMENTS TO THE STANDARD OVERSTRAND MUNICIPALITY  
RULES OF ORDER FOR INTERNAL ARRANGEMENTS BY-LAW****(ITEM 2, PAGE 20 : MANAGEMENT SERVICES PORTFOLIO -  
MAYORAL COMMITTEE MEETING : 26 SEPTEMBER 2018)****RECOMMENDATION TO THE COUNCIL:**

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, No 32 of 2000, the draft Amendment By-law Relating to Rules of Order for Internal Arrangements **be adopted**; and
2. that, in terms of section 13(a) of the Local Government Municipal Systems Act No 32 of 2000, the Amendment By-law Relating to Rules of Order for Internal Arrangements **be published** as soon as possible subsequent to it having been adopted by Council.

**RESPONSIBLE OFFICIAL :****L WALLACE****TARGET DATE FOR IMPLEMENTATION :****IMMEDIATELY  
SUBSEQUENT  
PUBLICATION IN THE  
PROVINCIAL GAZETTE**

## 5.3

## OVERSTRAND MUNICIPALITY DRAFT EVENTS BY-LAW

**(ITEM 2, PAGE 11 : COMMUNITY SERVICES PORTFOLIO -  
MAYORAL COMMITTEE MEETING : 26 SEPTEMBER 2018)****RECOMMENDATION TO THE COUNCIL:**

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

**DRAFT POLICY FOR THE STAGING OF EVENTS****(ITEM 3, PAGE 41 : COMMUNITY SERVICES PORTFOLIO -  
MAYORAL COMMITTEE MEETING : 26 SEPTEMBER 2018)****RECOMMENDATION TO THE COUNCIL:**

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  
D KEARNEY  
F MYBURGH****TARGET DATE FOR IMPLEMENTATION :****18 OCTOBER 2018**

## 5.5

**HERMANUS, A PORTION OF ERF 775 FISHERHAVEN: DEVIATION FROM PARAGRAPHS 18 AND 24 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A FUTHER TEMPORARY LEASE AGREEMENT WITH LAKE MARINA YACHT AND BOAT CLUB**

**(ITEM 3, PAGE 116 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 26 SEPTEMBER 2018)**

**RECOMMENDATION TO THE COUNCIL:**

1. that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to renew the current lease agreement with Lake Marina Yacht and Boat Club for a further period of 18 (EIGHTEEN) 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 agreement with Lake Marina Yacht and Boat Club without having a new market related valuation being done, **be approved**.

**RESPONSIBLE OFFICIAL :**

**M ERASMUS**

**TARGET DATE FOR IMPLEMENTATION :**

**31 DECEMBER 2018**

**TARGET DATE TO INFORM APPLICANT :**

**22 OCTOBER 2018**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**



## 5.6

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

**(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING :  
26 SEPTEMBER 2018)**

**RECOMMENDATION TO THE COUNCIL:**

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

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

**5.7**

**REPORT OF THE JOINT AUDIT AND PERFORMANCE AUDIT COMMITTEE (JAPAC) TO THE OVESTRAND MUNICIPAL COUNCIL**

**(ITEM 6, PAGE 8 : MAYORAL COMMITTEE MEETING : 26 SEPTEMBER 2018)**

**RECOMMENDATION TO THE COUNCIL:**

that the report from the Joint Audit and Performance Audit Committee to the Overstrand Municipal Council **be noted**.

**RESPONSIBLE OFFICIAL :**

**DC VAN DER HEEVER**

**TARGET DATE FOR IMPLEMENTATION :**

**26 SEPTEMBER 2018**

5.8

**2<sup>ND</sup> REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)****FOURTH QUARTERLY REPORT: APRIL - JUNE 2018****(ITEM 7, PAGE 25 : MAYORAL COMMITTEE MEETING : 26 SEPTEMBER 2018)****RECOMMENDATION TO THE COUNCIL:**

1. that the content of the 2<sup>nd</sup> revised report for the fourth quarter of the 2017/2018 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 2017/2018 financial year **be approved**.

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

## 5.9

**LATE SUBMISSION OF ANNUAL FINANCIAL STATEMENTS: 2017/2018****(ITEM 8, PAGE 42 : MAYORAL COMMITTEE MEETING :  
26 SEPTEMBER 2018)****RECOMMENDATION TO THE COUNCIL:**

- 1) that the report in terms of section 133(a) of the Local Government: Municipal Finance Management Act, No 56 of 2003 for the late submission of the 2017/18 financial statements to the Auditor-General **be noted**; and
- 2) that the Speaker or the Chairperson of the Municipal Public Accounts Committee (MPAC), assisted by the councillors serving as members of MPAC, investigate the reasons for the non-compliance referred to in 1 above and that the outcome of such investigation **be reported** to Council.

**RESPONSIBLE OFFICIALS:****S REYNEKE-NAUDE****TARGET DATE FOR IMPLEMENTATION :****1 NOVEMBER 2018**

**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)**