



ORDINARY MEETING OF THE COUNCIL

GEWONE VERGADERING VAN DIE RAAD

INTLANGANISO YESIQHELO YEBHUNGA

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 25 SEPTEMBER / SEPTEMBER
2019

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 25 SEPTEMBER 2019, AT 11:00**

PRESENT: Councillors were present as per attached attendance register.

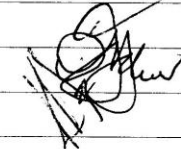

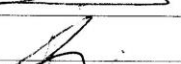



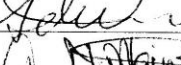
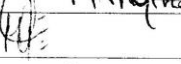


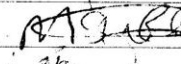


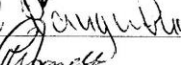
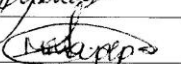
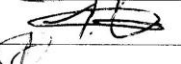








OFFICIALS PRESENT: Mr C Groenewald, Municipal Manager
Ms S Reyneke-Naudé, Director : Finance
Mr R Williams, Director : Community Services
Ms D Arrison, Director : Management Services
Mr S Madikane, Director : Economic Development
Mr N Michaels, Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Ms A le Roux, Manager : Property Administration
Mr X Kosi, Manager : LED
Mr D Lakey, Senior Manager : Kleinmond Administration
Mr B King, Senior Manager : Financial Services
Ms R Louw, Senior Manager : Strategic Services
Mr C le Roux, Deputy Director : Finance
Mr L Smith, Chief: Fire & Rescue & Disaster Management
Ms H van Tonder, Manager : Council Support Services
Ms S Swart, Administrative Officer : Council Support Services
ICT
Ms M de Villiers, Mayoral Committee Secretary
Ms D Laing, Relief Clerk Grade 2
Ms P Kandile, Admin Clerk : Councillors

ALSO PRESENT: Members of the Public

MINUTES/....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

COUNCIL MEETING
25 SEPTEMBER 2019

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F	
BOTHA, D	
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	
MORGAN, H	
MSWELI, X	
NTSABO, L	
NUTT, R	
ORBAN, J	
PUNGUPUNGU, V	
RESANDT, C	
SAPEPA, NM	
TAFU-NWONKWO, CC	
TEBELE, S	

1. OPENING

The Speaker, Ald A Coetsee, allowed 30 seconds of silent prayer. The Municipal Manager, Mr C Groenewald, read the notice convening the meeting.

2. APPLICATIONS FOR LEAVE OF ABSENCE

None

3. CONFIRMATION OF MINUTES**3.1 Minutes of an Ordinary Meeting of the Council held on Wednesday, 28 August 2019 at 11:00****RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 28 August 2019 at 11:00, be confirmed.**

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

The Speaker, Ald A Coetsee, informed the meeting that a resolution was received from Western Cape Provincial Parliament in terms of which they extend sincere condolences to Cllr M Moira's family who passed away on 14 July 2019.

The Speaker, Ald A Coetsee, referred to Item 6.1 which item is reflecting on himself and asked Councillors if he should recuse himself for the consideration of the item. It was the opinion of Cllr S Tebele that Ald A Coetsee should recuse himself.

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 REVIEW OF THE OVERSTRAND MUNICIPALITY: DISASTER MANAGEMENT PLAN

(ITEM 2, PAGE 10 : PROTECTION SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 SEPTEMBER 2019)

RESOLVED (SUPPORTED BY 25 COUNCILLORS):

that the Overstrand Municipality Disaster Management Plan **be adopted**.

RESPONSIBLE OFFICIAL : L SMITH

TARGET DATE FOR IMPLEMENTATION : OCTOBER 2019

5.2

RESCISSION OF COUNCIL'S IN PRINCIPLE DECISION FOR THE DIRECT ALIENATION OF AND COUNCIL'S APPROVAL FOR THE TRANSFER OF A PORTION OF ERF 1 HAWSTON ($\pm 370\text{M}^2$ IN EXTENT) TO HAWSTON SERVICE STATION (PTY) LTD FOR ADDITIONAL PARKING AND DRIVEWAY PURPOSES

(ITEM 7, PAGE 91 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 25 SEPTEMBER 2019)

RESOLVED (SUPPORTED BY 25 COUNCILLORS):

1. that the entire Council resolution dated 27 November 2017 in respect of the in principle approval for the direct sale of a portion of Erf 1 Hawston ($\pm 370\text{m}^2$ in extent) to Hawston Service Station (Pty) Ltd, **be rescinded**; and
2. that the entire Council resolution dated 28 March 2018 in respect of the approval for transfer of a portion of Erf 1 Hawston ($\pm 370\text{m}^2$ in extent) to Hawston Service Station (Pty) Ltd, **be rescinded**.

RESPONSIBLE OFFICIAL :

W MURTZ

TARGET DATE FOR IMPLEMENTATION :

31 OCTOBER 2019

TARGET DATE TO INFORM APPLICANT:

17 OCTOBER 2019

5.3**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR AUGUST 2019****(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING :
25 SEPTEMBER 2019)****RESOLVED (SUPPORTED BY 25 COUNCILLORS):**

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

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

6. CONSIDERATION OF REPORTS

**THE SPEAKER, ALD A COETSEE, RECUSED HIMSELF AT 11:16 AND
CLLR J ORBAN ACTED AS SPEAKER**

**6.1
DISCIPLINARY HEARING: ALD A COETSEE****3/2/3/1****H van Tonder
5 September 2019****(028) 313 8037****Corporate Head Office**

EXECUTIVE SUMMARY

The purpose of this report is to afford Council the opportunity to take note and confirm recommendations of the Disciplinary Committee in respect of the above matter.

RESOLVED (SUPPORTED BY 24 COUNCILLORS):

1. that the outcome of the Disciplinary Hearing of Ald A Coetsee which was held on 29 August 2019 **be noted**;
2. that the charge against Ald A Coetsee be dismissed; and
3. that, in terms of Item 13(3) of the Code of Conduct for Councillors, a copy of Council's decision be forwarded to the Minister of Local Government, Environmental Affairs and Development Planning.

RESPONSIBLE OFFICIAL :**H VAN TONDER****TARGET DATE FOR IMPLEMENTATION :****14 OCTOBER 2019**

ALD A COETSEE REJOINED THE MEETING AT 11:25

6.2**REPORT OF THE DISCIPLINARY BOARD REGARDING THEIR FULL INVESTIGATION PERTAINING TO ALLEGATIONS OF FINANCIAL MISCONDUCT: OFFICIAL EMPLOYED AT LOCAL ECONOMIC DEVELOPMENT**

This item was distributed under separate cover to Councillors for consideration.

In terms of Section 20(2) of the Local Government: Municipal Systems Act, No 32 of 2000, read with Rule 17 of the Overstrand Municipality's Standard By-law on Rules of Order for Internal Arrangements, this item must be considered "in committee".

THE SPEAKER CHANGED THE ORDER OF BUSINESS IN TERMS OF SECTION 5(2) OF THE BY-LAW ON RULES OF ORDER FOR INTERNAL ARRANGEMENTS. THIS ITEM WAS THEN CONSIDERED BY COUNCIL AFTER ITEM 9.

THE MEETING STOOD DOWN AT 11:25 IN ORDER TO GIVE OFFICIALS THE OPPORTUNITY TO LEAVE THE BANQUETING HALL

THE MEETING RESUMED AT 11:30

The recommendation under this item shall be minuted in a separate minute book in terms of Section 20(2) of the Local Government: Municipal Systems Act, No 32 of 2000 read with Rule 17 of the Overstrand Municipality's Standard By-law on Rules of Order for Internal Arrangements.

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

None

8. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

The following motion was submitted by the Executive Mayor, Ald D Coetzee, in terms of Section 26 of the By-Law on Rules of Order for Internal Arrangements for consideration and the motion was seconded by Cllr S Tebele:

Violence and abuse against women and children should stop

Our country and more specifically the Western Cape has over the last few months witnessed the increase in Gender Based Violence (GBV). Violence where women and children became the victims.

It is important that we do not miss the opportunity to not only expose this scourge, but also to take concerted action to ensure that women and particularly young girls feel safe in our country, in our province and more specifically in our Overstrand area.

As a Council through this motion we want to add our voices against any act of gender based violence that results in physical, sexual or psychological harm or suffering to women and children, whether in public or private life, and we resolve as such.

RESOLVED (SUPPORTED BY 25 COUNCILLORS):

that the motion put forward by the Executive Mayor regarding violence and abuse against women and children, be unanimously adopted.

9. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)

None

The meeting adjourned at 11:25

DATE

THE SPEAKER – A COETSEE