



ORDINARY MEETING OF THE COUNCIL

GEWONE VERGADERING VAN DIE RAAD

INTLANGANISO YESIQHELO YEBHUNGA

MINUTES / NOTULE /

IMIZUZU

**DATE / DATUM / UMHLA : 26 AUGUST / AUGUSTUS /
AGASTI 2015**

**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 26 AUGUST 2015, AT 11:00**

PRESENT/ TEENWOORDIG

Councillors were present as per attached attendance register.

**OFFICIALS PRESENT/
AMPTENARE TEENWOORDIG**

Mr C Groenewald, Municipal Manager
Ms S Reyneke-Naudé, Director : Finance
Mr R Williams, Director : Community Services
Ms D Arrison, Director : Management Services
Mr N Michaels, Director : Protection Services
Ms H van der Stoep, Senior Town Planner
Mr F Myburgh, Senior Manager : Gansbaai
Administration
Mr H Vorster, Senior Manager : Expenditure &
Assets
Ms H van Tonder, Manager: Council Support
Services
Ms N Zweni, Manager : Communication
Ms S Swart, Administrative Officer : Council
Support Services
Ms E Sales, PA : Director : Infrastructure &
Planning
Ms R Steenekamp, PA : Director Management
Services
Interns
ICT
Ms D Laing, Relief Clerk : Auditorium

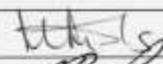
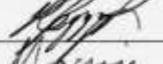

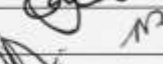


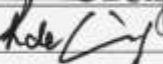


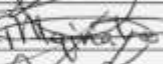
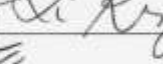
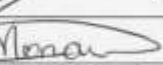

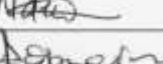
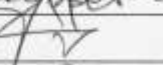


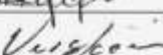

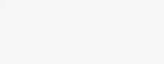




ALSO PRESENT:

Members of the Public

MINUTES/....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

COUNCIL MEETING
26 AUGUST 2015

ALDERMAN/COUNCILLORS	SIGNATURE
ANDREWS, M	
APPELGREIN, P	
BEYERS-CRONJE, L	
BOTHA, D	
BOTHA-GUTHRIE, N	
BRICE, K	
COETSEE, A	
COETZEE, DP	
DE CONING, R	
DYANI, M	
GXAMESI, S	
JANUARIE, JJS	
NQINATA, NNT	
KRIGE, L	
MACOTHA, VC	
MANDINDI, CQ	
MAY, P	
NDEVU, L	
OPPERMAN, M	
PIE, MT	
PONOANE, MV	
PRINS, A	
SAPEPA, NM	
SMITH, RJ	

1. OPENING

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

2. APPLICATIONS FOR LEAVE OF ABSENCE

Cllr R Smith

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, 24 June 2015 at 11:00**

RESOLVED

that the Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 24 June 2015 at 11:00, be confirmed.**

- 3.2 Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 29 July 2015 at 11:00**

RESOLVED

that the Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 29 July 2015 at 11:00, be confirmed.**

- 3.3 Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Tuesday, 18 August 2015 at 09:45**

RESOLVED

that the Minutes of a **Special Meeting** of the Overstrand Municipal **Council** held on **Tuesday, 18 August 2015 at 09:45, be confirmed.**

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

The Executive Mayor, Ald N Botha-Guthrie, congratulated the Speaker on his birthday and wished him good health.

The Executive Mayor, Ald N Botha-Guthrie, conveyed her and the Council's condolences to Mr R Williams, Director : Community Services, whose mother in law passed away.

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

TIME SCHEDULE FOR THE 2016/17 INTEGRATED DEVELOPMENT PLAN (IDP) REVIEW/ BUDGET PROCESS

(ITEM 1, PAGE 1 : MANAGEMENT SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 26 AUGUST 2015)

RESOLVED (UNANIMOUSLY):

that the schedule of key dates for the 2016/17 compilation of an IDP review/ Budget process **be noted.**

RESPONSIBLE OFFICIAL:

R LOUW

TARGET DATE FOR IMPLEMENTATION:

1 SEPTEMBER 2015

5.2

AMENDMENTS TO THE STANDARD BY-LAW ON RULES OF ORDER FOR INTERNAL ARRANGEMENTS P.N. 7188, 18 OCTOBER 2013**(ITEM 2, PAGE 11 : MANAGEMENT SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 26 AUGUST 2015)****RESOLVED (UNANIMOUSLY):**

that the Municipality's Standard By-law on Rules of Order for Internal Arrangements **be amended as follows:**

1. By the addition of the following definitions in rule 1:

“ **Attire (Female)**” means clothing made up out of a jacket / blazer, skirt or pants, blouse, dress shoes or traditional wear, and which do not reflect any political affiliation or electioneering.”

“ **Attire (Male)**” means clothing made up out of a blazer, pants, long sleeve shirt, dress shoes and a neck tie or traditional wear, and which do not reflect any political affiliation or electioneering.”

“ **Smart Casual**” means for men a collared shirt with pants or jean pants without tie, the patterns and colour of the jacket do not have to match the pants and a jacket is optional”; and

means for women a wide range of options of which skirts or pants or jean pants are acceptable and a jacket is optional.”;

2. By the substitution for the words “signing a leave form and delivering the completed leave form to the Municipal Manager at least 72 hours before the meeting” in Section 9(1) of the words “submitting a written application for leave by means of e-mail, facsimile or hard copy to the Speaker at least 72 hours before the meeting”;
3. By the deletion of sub rule 9(2) and the renumbering of sub rule 9(3), 9(4), 9(5), 9(6), 9(7) and 9(8) to read 9(2), 9(3), 9(4), 9(5), 9(6) and 9(7) where it appears in rule 9;

4. By the addition at the end of rule 19 of the following rule 19A:

“Dress Code for Attendance of Meetings

19.A (1) Councillors -

(a) must dress in business or traditional attire when attending council meetings;

(b) may wear smart casual clothing when attending committee meetings of council;

and

(c) must not wear any clothing affiliated to any political party during council and committee meetings.”

5. By the substitution for the words “provided that such councillor has been invited in writing by the chairperson to attend such meeting for a specific item on the agenda” in rule 21(2) of the words “after being recognised by the chairperson of such committee”; and
6. By the deletion of sub rule 21(3) and the renumbering of sub rule 21(4), 21(5), 21(6), 21(7) and 21(8) to read 21(3), 21(4), 21(5), 21(6) and 21(7).

RESPONSIBLE OFFICIAL :

LIONEL WALLACE

TARGET DATE FOR IMPLEMENTATION :

1 OCTOBER 2015

5.3

OVERSTRAND MUNICIPALITY: SELECTION OF HOUSING BENEFICIARIES IN OWNERSHIP-BASED SUBSIDY PROJECTS POLICY**(ITEM 1, PAGE 1 : COMMUNITY SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 26 AUGUST 2015)****RESOLVED (UNANIMOUSLY):**

that the revised Overstrand Municipality Policy on Selection of Housing Beneficiaries in Ownership-based Subsidy Projects, to make provision for the age-based prioritisation of housing subsidy applicants with regard to green fields projects for households with head(s) (applicant/ and or spouse/cohabiting partner) that are 40 years or older, **be adopted** and **be implemented** with immediate effect.

RESPONSIBLE OFFICIAL :**R WILLIAMS / F FRANS****TARGET DATE FOR IMPLEMENTATION :****WITH IMMEDIATE EFFECT**

5.4

HERMANUS: TRANSFER OF ERVEN 2694, 2695, 2702, 2703, 2704, 2705, 2709, 2713, 2786, 2789, 2790, 2794, 2911, 2914, 2915, 2916, 2920, 2929, 2933, 2936, 2938, 2939, 2940, HAWSTON FOR RESIDENTIAL PURPOSES AND ERF 2925 (A PORTIONS OF ERF 2672), HAWSTON FOR BUSINESS PURPOSE

(ITEM 9, PAGE 432 : INFRASTRUCTURE AND PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 26 AUGUST 2015)

RESOLVED (UNANIMOUSLY):

1. that the transfer of Erven 2694, 2695, 2702, 2703, 2704, 2705, 2709, 2713, 2786, 2789, 2790, 2794, 2911, 2914, 2915, 2916, 2920, 2929, 2933, 2936, 2938, 2939 and 2940, Hawston for residential purposes to Suppliers to All (PTY) LTD for the amount of R1 610 000.00 (VAT excluded), **be approved**;
2. that the transfer of Erf 2925 (a Portion of Erf 2672), Hawston for business purpose to OZRAN 57 (PTY) LTD for the amount of R715 000.00 (VAT excluded), **be approved**;
3. that the Municipal Manager be authorised to sign all documents relating to the transfer of the properties mentioned in 1. and 2. above;
4. that cognisance be taken to the fact that the subject Municipal erven are **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, No. 56 of 2003;
5. that **cognisance be taken** that, in terms of Section 14 of the Local Government: Municipal Finance Management Act, No. 56 of 2003, the fair market related price of the properties was considered;
6. that an amount to R21 386.00 (excl VAT) for subsidised housing be retained by the Municipality in lieu of land cost of R2.00 per/m²;
7. that an amount of R34 848.45 (excl VAT) be retained by the Municipality in lieu of bulk services levies of 23 residential erven; and
8. that the remainder income derived from the sale be paid to Izigi V3 as per Agreement and its Addendum.

RESPONSIBLE OFFICIAL :

R KUCHAR

TARGET DATE FOR IMPLEMENTATION :

9 SEPTEMBER 2015

5.5

FIXED ASSETS: DISPOSAL / DERECOGNITION OF ASSETS FOR THE 2014/15 FINANCIAL YEAR**(ITEM 5, PAGE 1 : - MAYORAL COMMITTEE MEETING : 26 AUGUST 2015)****RESOLVED (UNANIMOUSLY):**

1. that it **be noted** that the assets detailed in Annexure A to the Mayoral Committee agenda of 26 August 2015 are not needed to provide the minimum level of basic municipal services;
2. that the Minor Assets and Control Items written off and sold on Public Auction as detailed in Annexure A and Annexure B to the Mayoral Committee agenda of 26 August 2015 **be noted**; and
3. that the derecognition of the Infrastructure Assets as detailed in Annexure A to the Mayoral Committee agenda of 26 August 2015, **be approved**.

RESPONSIBLE OFFICIAL :**J VORSTER****TARGET DATE FOR IMPLEMENTATION :****31 AUGUST 2015**

5.6

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(B) AND 17(1)(C), FOR JULY 2015**

**(ITEM 6, PAGE 15 : - MAYORAL COMMITTEE MEETING : 26 AUGUST
2015)**

RESOLVED (UNANIMOUSLY):

1. that the deviations from the procurement processes, approved in terms of the delegated authority for July 2015, **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 July 2015, **be noted**.

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

5.7**SUBMISSION OF THE DRAFT UNAUDITED ANNUAL REPORT FOR THE FINANCIAL YEAR 2014/15****(ITEM 7, PAGE 20 : - MAYORAL COMMITTEE MEETING : 26 AUGUST 2015)****RESOLVED (UNANIMOUSLY):**that tabling of the 2014/15 **DRAFT** unaudited Annual Report, **be noted**.**RESPONSIBLE OFFICIAL :****R LOUW****TARGET DATE FOR IMPLEMENTATION :****NONE**

6. CONSIDERATION OF REPORTS**6.1****APPOINTMENT OF A NEW MEMBER : SECTION 62 COMMITTEE****3/2/3/1****S Swart****14 July 2015****(028) 313 8006****Corporate Head Office**

EXECUTIVE SUMMARY

The purpose of the report is to afford Council the opportunity to appoint a new member to serve on the Municipality's Section 62 Committee due to the resignation of Cllr E Nell at the end of June 2015.

RESOLVED (UNANIMOUSLY):

that Cllr L Krige **be appointed** in the vacancy on the Section 62 Appeals Committee.

RESPONSIBLE OFFICIAL :**S SWART****TARGET DATE FOR IMPLEMENTATION :****IMMEDIATELY**

6.2**APPOINTMENT OF A SECUNDUS : SECTION 62 APPEALS COMMITTEE AND ACTING SPEAKER****3/2/3/6****H van Tonder
21 July 2015****(028) 313 8037****Corporate Head Office**

EXECUTIVE SUMMARY

The purpose of the report is to appoint a councillor as secundus for Ald A Coetsee to serve on the Section 62 Appeals Committee and to act as Acting Speaker in terms of Section 41 of the Local Government : Municipal Structures Act, 1998 (Act No 117 of 1998).

RESOLVED (UNANIMOUSLY):

1. that Cllr D Coetsee **be appointed as secundus** for Ald A Coetsee to serve on the Section 62 Appeals Committee; and
2. that **cognisance be taken** that it is not necessary to appoint a secundus for the Speaker.

RESPONSIBLE OFFICIAL:**H VAN TONDER****TARGET DATE FOR IMPLEMENTATION:****IMMEDIATELY**

6.3

APPEAL LODGED IN TERMS OF SECTION 62 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT 32 OF 2000) : ERF 793, 12 SUSAN ROAD, PRINGLE BAY : PROPOSED REMOVAL OF RESTRICTIVE TITLE CONDITION AND DEPARTURE OF STREET BUILDING LINE : I.C.@PLAN ON BEHALF OF MS E ERASMUS

3/2/3/6**S Swart****29 July 2015****(028) 313 8006****Corporate Head Office**

EXECUTIVE SUMMARY

To submit a resolution of the proceedings of the Appeal Committee to Council for information.

RESOLVED (UNANIMOUSLY):

that the decision of the Section 62 Committee **be noted**, namely:

1. that the appeal **be dismissed**: and
2. that the appellant forfeits the deposit paid.

RESPONSIBLE OFFICIAL :**H VAN DER STOEP/S SWART****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

7. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

The Speaker requested that it be minuted that he afforded the Municipal Manager time to speak even though the matter is not urgent. The Municipal Manager reported that a Public Participation Process will be followed regarding the proposed Overlay Zones of the Overstrand Integrated Zoning Scheme and invited all councillors to such meetings. He requested the Director of Infrastructure and Planning to send information in this regard to all councillors.

8. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

None

9. CONSIDERATION OF MOTIONS OF EXIGENCY

None

The meeting adjourned at 11:33

DATE

THE SPEAKER – A COETSEE