



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

A G E N D A

I-AJENDA

DATE / DATUM / UMHLA : 28 NOVEMBER / NOVEMBA 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

23 November / Novemba 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, 28 NOVEMBER 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

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, 28 NOVEMBER 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

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** ngo**LWESITHATHU, Umhla we 28 NOVEMBA 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, 31 October 2018** at 11:00

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 28 November 2018 had formally sat.

**5.1
WRITING OFF OF IRRECOVERABLE DEBT**

(ITEM 1, PAGE 1 : FINANCE PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 NOVEMBER 2018)

RECOMMENDATION TO THE COUNCIL:

that the irrecoverable debt to the value of R286 176.06 as listed below, **be written off** as bad debt:

| | | |
|---|--|--------------------|
| A | First time write off – Indigent Households | R 28 069.90 |
| B | Indigent water leakages irrecoverable | R251 673.78 |
| C | Other Irrecoverable Debt (refer par 6.2.3) | R 6 432.38 |
| | TOTAL | R286 176.06 |

RESPONSIBLE OFFICIAL :

EM HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

7 DECEMBER 2018

5.2

AMENDMENTS TO SECTION 1 AND SECTION 7 OF THE OVERSTRAND MUNICIPALITY PARKING MANAGEMENT BY-LAW 2015**(ITEM 2, PAGE 33 : PROTECTION SERVICES, ECONOMIC DEVELOPMENT & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 NOVEMBER 2018)****RECOMMENDATION TO THE COUNCIL:**

that, in terms of section 11(3)(e) and (m) of the Local Government: Municipal Systems Act No 32 of 2000, the Amendments to the Parking Management By-law 2015, as provided for in Annexure A to the report which served before the Portfolio Committee for Protection Services on 20 November 2018 and the Executive Mayor on 28 November 2018, **be adopted**.

RESPONSIBLE OFFICIAL :**N MICHAELS****TARGET DATE FOR IMPLEMENTATION :****DATE OF PROMULGATION IN
GOVERNMENT GAZETTE**

5.3

HERMANUS, ERF 9515 ZWELIHLE: DEVIATION FROM PARAGRAPHS 18 AND 24 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A FURTHER LEASE AGREEMENT WITH PEMZO CONTRUCTION CC

(ITEM 2, PAGE 89 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 NOVEMBER 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 Pemzo Construction CC for a further period of 3 (THREE) years 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 Pemzo Construction CC 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 :****17 DECEMBER 2018****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.4

GANSBAAI, A PORTION OF REMAINDER OF ERF 210: DEVIATION FROM PARAGRAPHS 18, 20.1(b) AND 24 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A FUTHER TEMPORARY LEASE AGREEMENT WITH GANSBAAI PERDERY KLUB

(ITEM 6, PAGE 115 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 NOVEMBER 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 Gansbaai Perdery Klub for a further period of 12 (TWELVE) months without following a competitive process, **be approved**;
2. that the deviation from paragraph 20.1(b) of the Administration of Immovable Property Policy in order to renew the current lease agreement with Gansbaai Perdery Klub without following a public participation process, **be approved**; and
3. that the deviation from paragraph 24 of the Administration of Immovable Property Policy in order to renew the current lease agreement with Gansbaai Perdery Klub 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 DECEMBER 2018****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.5

HERMANUS AFFORDABLE HOUSING: RESCINDING OF APPROVAL TO ALLOW FOR SERVICED SITES AND BNG HOUSING

(ITEM 8, PAGE 136 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 NOVEMBER 2018)

RECOMMENDATION TO THE COUNCIL:

that the item **be referred back** and resubmitted at the forthcoming Mayoral Committee meeting.

RESPONSIBLE OFFICIAL :**A JACOBS****TARGET DATE FOR IMPLEMENTATION :****28 NOVEMBER 2018****TARGET DATE TO INFORM APPLICANT :****12 DECEMBER 2018****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.6

**FOUNTAIN HILL AFFORDABLE HOUSING DEVELOPMENT, GANSBAAI:
LAPSING OF MEMORANDUM OF AGREEMENT****(ITEM 9, PAGE 235 : INFRASTRUCTURE & PLANNING PORTFOLIO -
MAYORAL COMMITTEE MEETING : 28 NOVEMBER 2018)****RECOMMENDATION TO THE COUNCIL:**

1. that the outstanding civil infrastructure costs due on the already transferred 20 erven remaining in Phase 1 of the Fountain Hill development, plus interest on outstanding civil infrastructure cost calculated at 2% above the Prime Rate from the due date of actual payment, payable to the Municipality within 30 days after date of the Council decision, **be approved**;
2. that the request for extension of time of the Memorandum of Agreement and indivisible Deed of Sale entered into between the Municipality and Implementing Agent for a period of 24 months, **not be approved**;
3. that all applicable bulk service contributions on the remaining 124 erven not transferred to the Implementing Agent be waived, **be approved**;
4. that all applicable land costs on the remaining 124 erven not transferred to the Implementing Agent be waived only in relation to the erven made available to beneficiaries earning between R3 501 – R7 000, **be approved**; and
5. that the proposal to make the remaining 124 erven available as serviced sites to those qualifying beneficiaries in terms of the FLISP programme, **be approved**.

RESPONSIBLE OFFICIAL :**A JACOBS****TARGET DATE FOR IMPLEMENTATION :****28 NOVEMBER 2018****TARGET DATE TO INFORM APPLICANT :****28 NOVEMBER 2018****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.7

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

**(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING :
28 NOVEMBER 2018)**

RECOMMENDATION TO THE COUNCIL:

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

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

5.8

PROPOSED AMENDMENT OF CONTRACT SC 878/2010: OPERATION OF THE GANSBAAI LANDFILL SITE AND PUBLIC DROP-OFF FACILITIES IN GREATER GANSBAAI AND STANFORD

(ITEM 6, PAGE 8 : MAYORAL COMMITTEE MEETING : 28 NOVEMBER 2018)

RECOMMENDATION TO THE COUNCIL:

1. that **cognisance be taken** of the reasons for the proposed amendment of Contract SC878/2010 for the Operation of the Gansbaai Landfill Site and Public Drop-Off Facilities in Greater Gansbaai and Stanford, in terms of the enabling provisions of Section 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 by the closing date of 25 October 2018.

RESPONSIBLE OFFICIAL :**J VAN TAAK****TARGET DATE FOR IMPLEMENTATION :****1 DECEMBER 2018****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.9

LONG TERM WATER AND WASTE WATER TREATMENT OPERATIONS MANAGEMENT CONTRACT : CONTRACT SC 1890/2018**(ITEM 7, PAGE 14 : MAYORAL COMMITTEE MEETING : 28 NOVEMBER 2018)****RECOMMENDATION TO THE COUNCIL:**

1. that **cognisance be taken** that no response was received from the public or any other stakeholder following the invitation for comments, representations, views and recommendations in respect of the long term contract and the right to use the water and waste water treatment works;
2. that the right to use, control and manage the water and waste water treatment works for the contract period of 15 years to Veolia Water Solutions & Technologies (Pty) Ltd **be granted**;
3. that the determination of significant economic financial benefit from the long term contract for the Overstrand Municipality **be noted**;
4. that the long term contract for the Management of the Operation and Maintenance of the Water and Waste Water Treatment Works under the jurisdiction of Overstrand Municipality **be approved**; and
5. that the Municipal Manager **be authorised** to sign the long term contract on behalf of Overstrand Municipality.

RESPONSIBLE OFFICIAL :**H BLIGNAUT****TARGET DATE FOR IMPLEMENTATION :****8 DECEMBER 2018****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.10

PROPOSED AMENDMENT OF CONTRACT SC 1706/2016: OPERATION OF CELL 3 OF THE KARWYDERSKRAAL LANDFILL SITE FOR OVERSTRAND MUNICIPALITY**(ITEM 8, PAGE 79 : MAYORAL COMMITTEE MEETING : 28 NOVEMBER 2018)****RECOMMENDATION TO THE COUNCIL:**

1. that **cognisance be taken** of the reasons for the proposed amendment of Contract SC1706/2016 for the Operation of Cell 3 of the Karwyderskraal Landfill Site for Overstrand Municipality, in terms of the enabling provisions of Section 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 by the closing date of 15 October 2018.

RESPONSIBLE OFFICIAL :**J VAN TAAK****TARGET DATE FOR IMPLEMENTATION :****1 JANUARY 2019****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

5.11

**SUBSIDY APPLICATION ON PROCLAIMED MAIN ROADS FOR THE PERIOD
1 JULY 2019 TO 30 JUNE 2020**

**(ITEM 9, PAGE 85 : MAYORAL COMMITTEE MEETING :
28 NOVEMBER 2018)**

RECOMMENDATION:

that the subsidy application to be submitted to the Provincial Department of Roads and Transport for proclaimed main roads in Overstrand for the 2019/20 financial year to the amount of R240 000, **be supported.**

RESPONSIBLE OFFICIAL :**M BARTMAN****TARGET DATE FOR IMPLEMENTATION :****NOVEMBER 2019**

5.12

2nd ADJUSTMENTS BUDGET 2018/2019 (UNFORESEEN AND UNAVOIDABLE EXPENDITURE, GRANT FUNDING ROLL-OVERS APPROVED AND THE WESTERN CAPE ADJUSTED ESTIMATES, 2018)

(ITEM 10, PAGE 89 : MAYORAL COMMITTEE MEETING : 28 NOVEMBER 2018)

RECOMMENDATION TO THE COUNCIL:

1. that, in terms of section 28(2)(b) & (c) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the 2nd Adjustments Budget (Unforeseen and Unavoidable Expenditure, Grant Funding Roll-overs Approved and the Western Cape Adjusted Estimates, 2018) for 2018/2019 **be approved** as set out in the following schedules:

Schedule 1: Budgeted financial performance (revenue & expenditure by municipal vote)

Schedule 2: Budgeted financial performance (revenue by source & expenditure by type)

Schedule 3: Budgeted multi-year capital appropriations by standard classification (vote) and associated funding by source

Schedule 4: Budgeted financial position

Schedule 5: Budgeted cash flow

Schedule 6: Cash backed reserves and acc. surplus reconciliation

Schedule 7: Asset management

Schedule 8: Basic service delivery measurement

2. that the following schedules be noted:

Schedule 9: Budgeted financial performance (revenue & expenditure by standard classification)

Schedule 10: Budgeted capital appropriations by municipal vote

3. that the roll-over approval letters received from the National and Provincial Treasuries, regarding capital roll-over projects, **be noted**.

RESPONSIBLE OFFICIAL :

B KING

TARGET DATE FOR IMPLEMENTATION :

7 DECEMBER 2018

5.13

**REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FOR 2018/19**

**(ITEM 11, PAGE 190 : MAYORAL COMMITTEE MEETING :
28 NOVEMBER 2018)**

RECOMMENDATION TO COUNCIL:

1. that the revised SDBIP for 2018/19 **be approved**; and
2. that the revised SDBIP for 2018/19 **be made public**.

RESPONSIBLE OFFICIAL :

R LOUW

TARGET DATE FOR IMPLEMENTATION :

3 DECEMBER 2018

6. CONSIDERATION OF REPORTS**6.1****DEED OF SETTLEMENT: CLLR M OPPERMAN****3/2/3/1****H van Tonder****(028) 313 8037****Corporate Head Office****14 November 2018**

1. Executive Summary

The purpose of this report is to afford Council the opportunity to take note and confirm a Deed of Settlement in respect of Cllr M Opperman's failure to attend the Portfolio Committee meeting of 23 October 2018.

2. Service Delivery and Budget Implementation Plan Reference

Not applicable

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

None

5. Legal Requirements

- Schedule 1 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) (the Systems Act).
- Overstrand Municipality's Standard By-law on Rules of Order for Internal Arrangements
- Procedure for investigation regarding any allegation of misconduct against a member of Overstrand Municipal Council

6. Discussion

Items 2, 3 and 4 of Schedule 1 of the Systems Act provides as follows:

"2. General conduct of councillors.—A councillor must—

- (a) perform the functions of office in good faith, honestly and a transparent manner; and*

- (b) *at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised.*
3. *Attendance at meetings.—A councillor must attend each meeting of the municipal council and of a committee of which that councillor is a member, except when—*
- (a) *leave of absence is granted in terms of an applicable law or as determined by the rules and orders of the council; or*
- (b) *that councillor is required in terms of this Code to withdraw from the meeting.*
4. *Sanctions for non-attendance of meetings - (1) A municipal council may impose a fine as determined by the standing rules and orders of the municipal council on a councillor for*
- (a) *not attending a meeting which that councillor is required to attend in terms of item 3; or*
- (b) *failing to remain in attendance at such a meeting.*
2. ...
3. ...”

Rules 9 and 10 of the Standard By-law on Rules of Order for Internal Arrangements provide as follows:

- “9(1) *A councillor must, before absenting himself or herself from a meeting, make an application to the Speaker by 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.*
- (2) *The Speaker, on good cause shown, may grant leave of absence to a councillor who has been prevented by special circumstances from applying for leave of absence in accordance with sub rule (1).*
- (3) *The special circumstances referred to in sub rule (2) may include –*
- (a) *Illness of the councillor; or*
- (b) *Illness or death in the family of the councillor.*

- (4) *The names of all councillors present at a meeting and of all councillors to whom leave of absence from the meeting has been granted must be entered into the minutes.*
- (5) *If the Speaker rejects the application referred to in sub rule (1) he or she must provide a reason there for.*
- (6) *Sub rules (1) to (5), apply, with the necessary changes, in respect of the Speaker, and in such application a reference in those sub rules to the Speaker is regarded to be a reference to the Mayor.”*

“10(1) Except for the instances contemplated in rule 9(3) and (4), a councillor is in breach of the rules if he or she without leave –

- (a) absents himself or herself from a meeting;*
- (b) fails to be in attendance at the commencement of a meeting; or*
- (c) fails to remain in attendance until the end of a meeting.*

(2) ...

(3) ...

(4) *When the Speaker becomes aware of an alleged contravention of the code he or she must commence with a preliminary investigation. The Speaker must notify the councillor in writing of his or her alleged breach of the rules or the Code. The councillor must be given seven days from date of the written notice to respond in writing regarding the alleged breach. If the Speaker is not satisfied that the reasons provided is compelling enough, then the Speaker must refer the matter to a Disciplinary Committee to investigate the allegations, and to report the outcome of the investigation to the Council. In the event that the accused member is a ward committee member, the Speaker may in his or her sole discretion decide, after conclusion of the preliminary investigation, whether the member should be removed or not.*

(5) *The Council must decide whether the rules or the Code has been breached or not, after receiving a report from the Disciplinary committee.*

(6) *If Council finds that a councillor has breached the rules as contemplated in sub rule (1), the Council must fine the councillor in an amount equal to 10% of his or her monthly salary.*

(7) ...

(8) ...”

The duty of the Chairperson (Speaker) of the Council in so far as the Code of Conduct of Councillors is concerned, is embedded in Item 13 of the Code and reads as follows:

“13(1) If the chairperson of a municipal council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the chairperson must—

- (a) authorise an investigation of the facts and circumstances of the alleged breach;*
- (b) give the councillor a reasonable opportunity to reply in writing regarding the alleged breach; and*
- (c) report the matter to a meeting of the municipal council after paragraphs (a) and (b) have been complied with.*

(2) A report in terms of subitem (1) (c) is open to the public.

(3) The chairperson must report the outcome of the investigation to the MEC for local government in the province concerned.

(4) ... “

Item 14 of the Code of Conduct of Councillors provides as follows:

“14. Breaches of Code. – (1) A municipal council may –

- (a) investigate and make a finding on any alleged breach of a provision of this Code; or*
 - (b) establish a special committee –*
 - (i) to investigate and make a finding on any alleged breach of this Code; and*
 - (ii) to make appropriate recommendations to the Council.*
- (2) If the council or a special committee finds that a councillor has breached a provision of this Code, the council may –*
- (a) issue a formal warning to the councillor;*
 - (b) reprimand the councillor;*

- (c) *request the MEC for local government in the province to suspend the councillor for a period;*
- (d) *fine the councillor; and*
- (e) *request the MEC to remove the councillor from office.”*

The Disciplinary Committee of Council resolved that the Deed of Settlement attached as Annexure A, **be accepted**.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexure

Annexure A : Deed of Settlement between the Disciplinary Committee of Council and Cllr M Opperman

RECOMMENDATION TO THE COUNCIL:

1. that the Deed of Settlement between the Disciplinary Committee of Council and Cllr M Opperman, attached as Annexure A, **be accepted**; and
2. 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 :

12 DECEMBER 2018

In the matter between:

OVERSTRAND MUNICIPALITY

PLAINTIFF

And

CLR. M OPPERMAN

IMPLICATED CLR.

DEED OF SETTLEMENT

I, Clr. M OPPERMAN


1. Acknowledge that I failed to attend the Portfolio Committee Meeting on 23 October 2018.
2. I acknowledge furthermore that I was obliged to obtain leave of absence from the Speaker prior to the meeting, which I failed to do.
3. I accept therefore that I am guilty of contravening Item 3 of Schedule 1 to the Local Government : Municipal Systems Act, and that in terms of the Standing Rules of Council I will be sanctioned.
4. In order to expedite the matter I wish to make an offer of settlement on sanction, similar to the sanction that was accepted by Council for councillors who previously was found to be absent from a meeting for the first time. My offer is as follows :
 - 4.1 I accept responsibility and undertake to pay to the Overstrand Municipality an amount equal to 10% of one month's remuneration
 - 4.2 That the aforesaid offer to pay be suspended for a period of 12 months

DATED AT HERMANUS ON THIS 31ST DAY OF OCTOBER 2018.


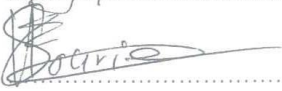
A.S. L.N. M.S. M.S.


AS WITNESSES:

- 1. 
- 2. 


.....
Chairperson : DC

AS WITNESSES:

- 1. 
- 2. 



Clr M Opperman

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

8. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

At the time of the closing of the agenda, no notices of motions/questions were received.

9. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)