



**ORDINARY MEETING OF THE COUNCIL**

**GEWONE VERGADERING VAN DIE RAAD**

**INTLANGANISO YESIQHELO YEBHUNGA**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 30 SEPTEMBER / SEPTEMBER**  
**2020**

**VENUE / PLEK / INDAWO : VIRTUAL**

**TIME / TYD / IXESHA: 11:00**

# OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

**MINUTES OF THE COUNCIL MEETING  
HELD BY MEANS OF A VIRTUAL PLATFORM  
ON 30 SEPTEMBER 2020, AT 11:00**

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**PRESENT:**

Councillors were present as per attached attendance register.

**OFFICIALS PRESENT:**

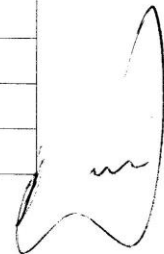
Mr C Groenewald, Municipal Manager  
Ms D Arrison, Director : Management Services  
Ms S Reyneke-Naudé, Director : Finance  
Mr R Williams, Director : Community Services  
Mr S Madikane, Director : Economic Development & Tourism  
Mr N Michaels, Director : Protection Services  
Mr S Müller, Director : Infrastructure & Planning  
Mr F Myburgh, Senior Manager : Gansbaai Administration  
Mr D Lakey, Senior Manager : Kleinmond Administration  
Mr B King, Senior Manager : Financial Services  
Mr R Kuchar, Senior Manager : Town Planning  
Ms R Louw, Senior Manager : Strategic Planning  
Ms A Le Roux, Manager : Property Administration  
Mr C Johnson, Systems Development Manager  
Ms H van Tonder, Manager : Council Support Services  
Ms S Swart, Administrative Officer : Council Support Services  
ICT Support Staff  
Ms D Laing, Relief Clerk Grade 2

**MINUTES/....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

COUNCIL MEETING  
30 SEPTEMBER 2020

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F	✓
BOTHA, D	✓
BRICE, KD	✓
COETSEE, A	✓
COETZEE, DP	✓
COHEN, G	✓
DE CONING, CA	✓
GILLION, E	ABSENT WITH LEAVE
KALOLO, SV	✓
KOMANI, AS	✓
KRIGE, F	✓
NQINATA, NNT	✓
MACOTHA, VC	ABSENT WITH LEAVE
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 Municipal Manager, Mr C Groenewald, read the notice convening the meeting.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

**Cllr E Gillion**

**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 Council held on Wednesday, 26 August 2020 at 11:00**

**RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 26 August 2020 at 11:00, be confirmed.**

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

The Executive Mayor, Ald D Coetzee, informed the meeting that an application for leave of absence was received from Cllr E Gillion, the Deputy Executive Mayor, after surgery and he wished her a speedy recovery.

**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**

**COVID-19: EXEMPTION FROM PAYING PARKING FEES OF EIGHT LARGE VESSELS PARKED AT THE KLEINBAAI PUBLIC LAUNCHING SITE (PLS)**

**(ITEM 2, PAGE 8 : COMMUNITY SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 30 SEPTEMBER 2020)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the exemption from the payment of rental for the months of April 2020, May 2020, June 2020, July 2020 and August 2020 for the tenants of the eight parking bays for large vessels at Kleinbaai PLS, **be approved.**

**RESPONSIBLE OFFICIAL :**

**F MYBURGH**

**TARGET DATE FOR IMPLEMENTATION :**

**1 OCTOBER 2020**

**5.2****COVID-19 FINANCIAL RELIEF ARRANGEMENTS****EXEMPTION FROM PAYMENT OF RENTAL FOR THE MONTHS OF JULY 2020, AUGUST 2020 AND SEPTEMBER 2020 – SPECIFIC TENANTS****(ITEM 7, PAGE 150 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 30 SEPTEMBER 2020)****RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the exemption from the payment of rental for the months July 2020, August 2020 and September 2020 in relation to the tenants of the Municipality as indicated on Annexure A to the item, **be approved**.

**RESPONSIBLE OFFICIAL :****R MARINUS  
E HOONEBERG****TARGET DATE FOR IMPLEMENTATION :****31 OCTOBER 2020****TARGET DATE TO INFORM APPLICANT :****9 OCTOBER 2020****TARGET DATE TO INFORM OBJECTOR :****N/A**

**5.3**

**ERF 3160, 97 LEEUBEKKIE STREET, BLOMPARK, GANSBAAI: REZONING AND CONSENT USE: MESSRS INTERACTIVE TOWN AND REGIONAL PLANNING ON BEHALF OF F ABRAHAMS**

**(ITEM 9, PAGE 168 : INFRASTRUCTURE & PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 30 SEPTEMBER 2020)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the application to deviate from the Overstrand Spatial Development Framework, 2006 as well as the Growth Management Strategy, 2010 in order to permit a commercial land use in terms of Section 10(1) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 in terms of the provisions of Section 22(2) of the Spatial Planning Land Use Management Act, **be approved.**

<b>RESPONSIBLE OFFICIAL :</b>	<b>SW VAN DER MERWE</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>14 OCTOBER 2020</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>14 OCTOBER 2020</b>
<b>TARGET DATE TO INFORM OBJECTORS :</b>	<b>N/A</b>

**5.4**

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

**(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING : 30 SEPTEMBER 2020)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the report from the JAPAC to the Overstrand Municipal Council **be noted**.

**RESPONSIBLE OFFICIAL :**

**DC VAN DER HEEVER**

**TARGET DATE FOR IMPLEMENTATION :**

**30 SEPTEMBER 2020**

**5.5  
ICT SYSTEMS SECURITY POLICY**

**(ITEM 6, PAGE 16 : MAYORAL COMMITTEE MEETING :  
30 SEPTEMBER 2020)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the ICT Systems Security Policy **be approved.**

**RESPONSIBLE OFFICIAL :**

**C JOHNSON**

**TARGET DATE FOR IMPLEMENTATION :**

**SEPTEMBER 2020**

**5.6****AMENDMENT TO THE 2020/2021 CUSTOMER CARE, CREDIT CONTROL AND DEBT COLLECTION POLICY****(ITEM 7, PAGE 34 : MAYORAL COMMITTEE MEETING : 30 SEPTEMBER 2020)****RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

that the Customer Care, Credit Control and Debt Collection Policy be amended retrospectively from 1 July 2020 by adding the following to paragraph 6.8.1. (c(iii)) of the Customer Care, Credit Control and Debt Collection Policy, to read as follows:

- (iii) the customer applied only once in a cycle of 30 months for a discount and, in the instance where a customer experiences a second leak within the 30 months period, the customer may apply on the same conditions as for a first leak in 30 months on the prescribed form within 60 days after the leak has been repaired, which application will only be regarded as a valid application on condition that the customer installs a flow restrictor meter at cost of the customer. In the instance where a customer experience a second leak within the 30 months period as mentioned in above, the customer may apply on the prescribed form within 60 days after the leak has been repaired, which application will only be regarded as a valid application if the customer is prepared to convert to a flow restrictor meter at cost of the customer.
2. that the implementation also be applicable to applications still in dispute after 30 June 2020.

**RESPONSIBLE OFFICIAL :****E HOONEBERG****TARGET DATE FOR IMPLEMENTATION :****30 SEPTEMBER 2020**

**5.7**

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM) POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) AND PARAGRAPH 6(7)(4)(F) OF THE DIRECTIONS OF THE DISASTER MANAGEMENT ACT, AUGUST 2020**

**(ITEM 8, PAGE 61 : MAYORAL COMMITTEE MEETING : 30 SEPTEMBER 2020)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for August 2020, **be noted**;
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 2020, **be noted**; and
3. that the awards made through the Bid Committee system, and formal written price quotations in excess of R30 000 and all price quotations below R30 000 for August 2020, **be noted**

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

**5.8**

**A PORTION OF UNREGISTERED ERF 12212 HERMANUS (SITUATED IN MUSSEL ROAD, HERMANUS): DEVIATION FROM PARAGRAPHS 4, 26 AND 41 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 TO WAIVE THE APPLICATION FEE, THE COSTS PERTAINING TO THE APPLICATION PROCESS, ANY RENTAL PAYABLE AND GENERAL CONDITIONS**

**(ITEM 9, PAGE 75 : MAYORAL COMMITTEE MEETING : 30 SEPTEMBER 2020)**

**CLLR S KALOLO, SECONDED BY CLLR X MSWELI, PROPOSED A NEW RECOMMENDATION TO THE EFFECT THAT HERMANUS PUBLIC PROTECTION MUST PAY RENT. CLLR D BOTHA, SECONDED BY CLLR J ORBAN, PROPOSED THAT THE MATTER BE PUT TO VOTE.**

**THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 11:35**

**THE MEETING RESUMED AT 11:45**

**THE MEETING STOOD DOWN AT 11:50**

**THE MEETING RESUMED AT 11:54**

**WHEN PUT TO THE VOTE, 15 MEMBERS VOTED IN FAVOUR OF THE RECOMMENDATION BY THE EXECUTIVE MAYOR, AND 8 MEMBERS IN FAVOUR OF THE RECOMMENDATION BY CLLR S KALOLO. THE RECOMMENDATION OF THE EXECUTIVE MAYOR WAS THUS CARRIED.**

**RESOLVED (SUPPORTED BY 15 COUNCILLORS):**

that the deviation from paragraphs 4, 26, and 41 of the Administration of Immovable Property Policy of 2015 in order for the Municipality to enter into a memorandum of agreement with Hermanus Public Protection NPC for the use of a portion of a room in the Fire Brigade Service Building situated on unregistered Erf 12212 Hermanus, for the establishment and operating of a control room in order to render the Hermanus Special Rating Area supplementary services to the community, **be approved.**

**RESPONSIBLE OFFICIAL :**

**L SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**16 OCTOBER 2020**

**TARGET DATE TO INFORM APPLICANT :**

**16 OCTOBER 2020**

**5.9****REPORT ON THE PROPOSED SPECIAL ADJUSTMENTS BUDGET (COVID-19) FOR 2020/2021****(ITEM 10, PAGE 81 : MAYORAL COMMITTEE MEETING : 30 SEPTEMBER 2020)****THE AFRICAN NATIONAL CONGRESS REQUESTED A CAUCUS AT 12:02****THE MEETING RESUMED AT 12:10****THE AFRICAN NATIONAL CONGRESS REQUESTED A FURTHER CAUCUS AT 12:12****THE MEETING RESUMED AT 12:32****THE AFRICAN NATIONAL CONGRESS REQUESTED A FURTHER CAUCUS AT 12:35****THE MEETING RESUMED AT 12:45****RESOLVED (SUPPORTED BY 22 COUNCILLORS):**

1. that, in terms of section 28(2)(b) to (g) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the Special Adjustments Budget (COVID-19) for 2020/2021 **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; and



**5.10**

**REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
FOR 2020/21**

**(ITEM 11, PAGE 182 : MAYORAL COMMITTEE MEETING :  
30 SEPTEMBER 2020)**

**RESOLVED (SUPPORTED BY 23 COUNCILLORS):**

1. that the revised SDBIP for 2020/21 **be approved**;
2. that the amendments to the Top Layer SDBIP for 2020/21 **be approved**; and
3. that the revised SDBIP for 2020/21 **be made public**.

**RESPONSIBLE OFFICIAL :**

**RG LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**5 OCTOBER 2020**

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

None

**7.     CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS**

None

**8.     CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)**

None

**The meeting adjourned at 12:55**

\_\_\_\_\_  
**DATE**

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**THE SPEAKER – A COETSEE**