



**SPECIAL MEETING OF THE COUNCIL**

**SPESIALE VERGADERING VAN DIE RAAD**

**INTLANGANISO EKHETHEKILEYO YEBHUNGA**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 14 DECEMBER / DESEMBER /  
DISEMBA 2022**

**BANQUETING HALL,  
CIVIC CENTRE, HERMANUS**

**TIME / TYD / IXESHA : 10:00**

## **OVERSTRAND**

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

### **MINUTES OF A SPECIAL MEETING OF THE COUNCIL HELD IN THE BANQUETING HALL ON 14 DECEMBER 2022, AT 10:00**

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**PRESENT:** Councillors were present as per attached attendance register.

**OFFICIALS PRESENT:** Mr D O'Neill, Municipal Manager  
Ms D Arrison, Director : Management Services  
Mr N Michaels, Director : Protection Services  
Ms S Reyneke-Naudé, Director : Finance  
Mr R Williams, Director : Community Services  
Mr S Müller, Director : Infrastructure & Planning  
Ms F Lloyd, Acting Director : LED  
Mr A Wyngaard, Senior Manager : Hermanus Administration  
Ms N Zweni, Manager : Communications  
Ms B Plaatjies, Manager : Hermanus Administration  
Mr H Blignaut, Deputy Director : Engineering Planning  
Ms H van Tonder, Manager : Council Support Services  
  
Ms G Erasmus, Clerk : Auditorium  
Ms S Swart, Administrative Officer : Council Support Services



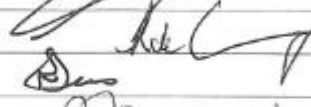
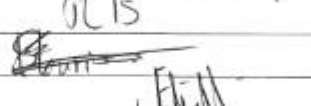
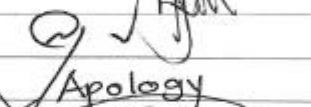
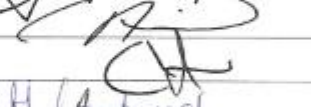
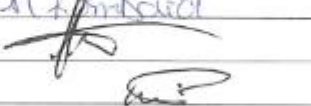

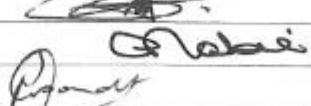
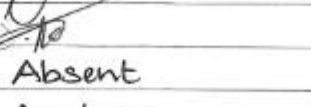






**ALSO PRESENT:** Members of the Public

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**MINUTES/....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

SPECIAL COUNCIL MEETING : 14 DECEMBER 2022

ALDERMEN/COUNCILLORS	SIGNATURE
AFRICA, F	
BANDEZA, V	
BRICE, KD	
COETZEE, DP	
COHEN, G	
DE CONING, CA	
DEES, RM	
ELS, T	
FOURIE, SH	
GILLION, E	
GRIMBEEK, MD	
GWELE, T	
KOMANI, AS	Apology
LERM, CH	
LOMBARD, H	
NGQANDANA, K	
NOMATITI, M	
NQINATA, NNT	
NTSABO, L	
NUTT, R	
RABIE, AL	
RESANDT, CT	
SIHLAHLA, M	
SILO, S	Absent
TAFU-NWONKWO, CC	Apology
VAN STADEN, JA	Apology
WILLIAMS, SH	

**1. OPENING**

The Speaker, Cllr G Cohen, opened the meeting and the Municipal Manager, Mr D O'Neill, read the notice convening the meeting. Cllr R Dees opened with prayer.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

**Cllr C Tafu-Nwonkwo**  
**Ald T Nqinata**  
**Cllr J van Staden**  
**Cllr T Gwele**

**RESOLVED:**

that the above-mentioned applications for leave of absence, **be granted.**

**Cllr S Silo was absent without leave.**

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

The Speaker, Cllr G Cohen, bid Dir R Williams goodbye as he is leaving the municipality on 22 December 2022. The Speaker thanked him for all his hard work and assured him that he will be missed by all.

The Speaker, Cllr G Cohen, thanked all Councillors for their hard work during 2022 and wished them all a safe and blessed Festive Season.

The Speaker, Cllr G Cohen, extended the agenda to include Item 4.6 which will be dealt with *in committee*.

The Executive Mayor, Ald A Rabie, informed the meeting that Nersa will soon announce the increase in electricity tariffs.

The Executive Mayor, Ald A Rabie, reported that a meeting will take place with the community regarding the Baboon Management Programme.

The Executive Mayor, Ald A Rabie, informed the meeting that the electrification of Marikana will soon start as the funds were received (to be included in the Adjustments Budget which will serve before Council on 30 January 2023).

The Executive Mayor, Ald A Rabie, reported on the SIU's investigation into the Overstrand Housing Department and thanked Dir R Williams for all his inputs in this regard.

The Executive Mayor, Ald A Rabie, informed the meeting that she has issued a press release regarding the challenges experienced in the Overstrand fleet system and that the matter was reported to the SAPS.

The Executive Mayor, Ald A Rabie, informed council that, depending on the outcome of the investigations into the Overstrand Housing Department as well as the Overstrand Fleet system, there is a possibility that a special council meeting will be held soon. She requested councillors to inform the Speaker should they leave on holiday.

**4. 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)**

**4.1**

**PROPOSED AMENDMENT OF CONTRACT NO. SC 2182/2021: OPERATION OF NEW MATERIALS RECOVERY FACILITY (MRF), HERMANUS**

**8/3/1/SC2182/2021**

**C Mitchell**

**Manager : Solid Waste Planning**

**30 November 2022**

**(028) 313 5045**

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**EXECUTIVE SUMMARY**

The purpose of this report is to provide the necessary information and motivation with regards to the proposed amendment of Contract SC2182/2021: Operation of New Materials Recovery Facility (MRF) Hermanus, in terms of the enabling provisions of sections 116(3) and 33 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA), to enable Council to make an informed decision whether to consent to the proposed amendment of the contract.

**RESOLVED (SUPPORTED BY 22 COUNCILLORS):**

1. that Council take cognisance of the reasons for the proposed amendment of Contract SC 2182/2021 between Overstrand Municipality and Hermanus Recycling CC for the operation of the new Materials Recovery Facility (MRF) Hermanus in terms of the enabling provisions of Sections 33 and 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003);
2. that Council take cognisance of the comments received from National and Provincial Treasury in respect of the proposed amendment of Contract SC 2182/2021 between Overstrand Municipality and Hermanus Recycling CC for the operation of the new Materials Recovery Facility (MRF) Hermanus, in terms of the enabling provisions of Sections 33 and 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003); and
3. that Council consent to the proposed amendment of Contract SC 2182/2021 between Overstrand Municipality and Hermanus Recycling CC for the operation of the new Materials Recovery Facility (MRF) Hermanus.

**RESPONSIBLE OFFICIAL:**

**C MITCHELL**

**TARGET DATE FOR IMPLEMENTATION:**

**1 JANUARY 2023**

**4.2****PROPOSED AMENDMENT OF LONG-TERM CONTRACT NO. SC 1890B/2018:  
WATER AND WASTEWATER BULK WORKS OPERATION AND MAINTENANCE****8/3/1/SC1890/2018****H Blignaut****30 November 2022****Deputy Director : Engineering Services****(028) 313 5047**

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**EXECUTIVE SUMMARY**

The purpose of this report is to provide the necessary information and motivation with regards to the proposed third amendment of Contract SC1890B/2018: Water and Wastewater Bulk Works Operation and Maintenance, in terms of the enabling provisions of sections 33 and 116(3) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA), to enable Council to make an informed decision whether to consent to the proposed amendment of the contract.

**RESOLVED (SUPPORTED BY 22 COUNCILLORS):**

1. that Council take cognisance of the reasons for and the estimated financial implications of the proposed amendment of Contract SC 1890B/2018 between Overstrand Municipality and Veolia Services Southern Africa (Pty) Ltd for the operation and maintenance of the bulk water and wastewater infrastructure, in terms of the enabling provisions of Sections 33 and 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003);
2. that Council take cognisance of the comments received from National Treasury in respect of the proposed amendment of long term Contract SC 1890B/2018 between Overstrand Municipality and Veolia Services Southern Africa (Pty) Ltd for the operation and maintenance of the bulk water and wastewater infrastructure, in terms of the enabling provisions of Sections 33 and 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), as well as the Municipal Manager's response to National Treasury; and
3. that Council consent to the proposed amendment of Contract SC1890B/2018 between Overstrand Municipality and Veolia Services Southern Africa (Pty) Ltd for the operation and maintenance of the bulk water and wastewater infrastructure.

**RESPONSIBLE OFFICIAL:****H BLIGNAUT****TARGET DATE FOR IMPLEMENTATION :****1 JANUARY 2023**

**4.3****WARD COMMITTEE SYSTEM: REVISION OF WARD COMMITTEE RULES****3/B****FRJ Williams****Director: Community Services****5 December 2022****(028) 313 8029**

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**EXECUTIVE SUMMARY**

The purpose of this report is for the Council to consider the revised Ward Committee Rules for the Ward Committee System within the Overstrand Municipal area.

**RESOLVED (SUPPORTED BY 22 COUNCILLORS):**

that the revised Ward Committee Rules for Overstrand Municipality **be adopted**.

**RESPONSIBLE OFFICIAL :****F MYBURGH  
D LAKEY  
A WYNGAARD  
B PLAATJIES****TARGET DATE FOR IMPLEMENTATION :****1 JANUARY 2023**

**4.4****MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM) POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR NOVEMBER 2022****8/2/2****C Le Roux****Deputy Director: Finance & SCM****05 December 2022****(028) 313 8107**

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**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council of all deviations from the Supply Chain Management Policy, approved by the delegated authority in terms of Paragraph 36 of the Supply Chain Management Policy, approvals in terms of Paragraph 16(1)(b) and 17(1)(c) for November 2022.

**RESOLVED (SUPPORTED BY 22 COUNCILLORS):**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for November 2022, **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 November 2022, **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 November 2022, **be noted**.

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

**4.5****AMENDMENT TO THE SUPPLY CHAIN MANAGEMENT POLICY****8/2/2****C Le Roux****05 December 2022****Deputy Director: Finance & SCM****(028) 313 8107**

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**EXECUTIVE SUMMARY**

The purpose of the item is to approve the Draft Preferential Procurement Policy and amendments to the Supply Chain Management (SCM) Policy to give effect to the Preferential Procurement Regulations, 2022.

**RESOLVED (SUPPORTED BY 22 COUNCILLORS):**

1. that the amended Supply Chain Management policy for 2022/2023 **be approved**;
2. that the draft Preferential Procurement Policy for 2022/2023 **be approved**;
3. that the amended Supply Chain Management Policy and the Draft Preferential Procurement Policy be advertised for public participation;
4. that any comments received related to the implementation of the Policies, will be reported to Council; and
5. that the policies be implemented with effect from 16 January 2023 if no comments are received.

**RESPONSIBLE OFFICIAL :****C LE ROUX****TARGET DATE FOR IMPLEMENTATION :****16 JANUARY 2023**

**THE MEETING STOOD DOWN AT 10:29 IN ORDER FOR THE PUBLIC AND OFFICIALS TO LEAVE THE BANQUETING HALL**

**THE MEETING RESUMED AT 10:40**

**4.6  
INVESTIGATION INTO COMPLAINT/ACCUSATION OF ALLEDGED  
MISCONDUCT: DIRECTOR: ECONOMIC AND SOCIAL DEVELOPMENT AND  
TOURISM, S MADIKANE**

This item was distributed under separate cover at the meeting.

In terms of Section 20(1) of the Local Government: Municipal Systems Act, No 32 of 2000, read with Rule 17 of the Overstrand Municipality's By-law on Rules of Order for Internal Arrangements, this item was considered "in committee".

The resolutions under this item shall be minuted in a separate minute book in terms of section 20(1) of the Local Government: Municipal Systems Act, No 32 of 2000 read with Rule 17 of the Overstrand Municipality's By-law on Rules of Order for Internal Arrangements.

**The meeting adjourned at 10:57**

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**DATE**

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**THE SPEAKER – G COHEN**