I

OPENING OF MEETING:

The meeting was opened with a prayer and scripture reading by Apostel M Kabe.

II

PRESENT:

The Executive Mayor, Alderman H Levendal
The Deputy Executive Mayor, Councillor D Kotzé
The Speaker, Alderman P Terblanche
Councillor E Baron
Councillor J Bayman
Councillor N Bobelo
Councillor N C Booisen
Councillor J Bruinders
Councillor W Buda
Councillor M de Klerk
Councillor A Dellemijn
Councillor W Fipaza
Councillor V Fortuin
Councillor M Furness
Councillor B Groenewald
Councillor J Gouws
Councillor A Janse van Rensburg
Councillor D Kamfer
Councillor M Kannemeyer
Councillor P Lichaba
Councillor S S Mbandezi
Councillor E Meyer
Councillor N Mbolompo
Councillor T Mvumvu
Councillor L Rauch
Councillor J Siyoko

OFFICIALS:

The Municipal Manager, Adv M G Giliomee
The Director: Technical Services, Mr D Naidoo
The Director: Planning & Integrated Services, Mr C Venter
The Director: Community Services, Ms E Nel
The Director: Corporate Services, Mr E Jantjies
The Acting Director: Financial Services, Mr L Fourie
Mr N Prins
Mr C Puren
Mr J Coetzee
Mr M Engelbrecht
Ms R du Toit
Ms C Petersen
Ms R Hansen

III APOLOGIES:

Councillor R Ruiters

IV DISCLOSURE OF INTEREST IN TERMS OF SCHEDULE 1 (CODE OF CONDUCT FOR COUNCILLORS) IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEM ACT, 2000 (ACT 32 OF 2000)

The Speaker, Alderman P Terblanche informed Council that Councillor D Kamfer has an interest in Item E117-06/2017.


The Speaker, Alderman P Terblanche informed Council that Mr C Puren has an interest in Item E92-06/2017 and Mr N Prins has an interest in Item E117-06/2017.

VI CONFIRMATION AND SIGNING OF PREVIOUS MINUTES:

- Councillor E Meyer proposed, seconded by Councillor T Mvumvu that the Minutes of the Ordinary Council Meeting held on Thursday, 25 May 2017, folio no’s 577(a) –762, be adopted with the following amendments to Item E81-05/2017 on page 577 (e):

  “Councillor W Buda - For the motion of Councillor Mbandezi
Councillor W Fipaza - For the motion of Councillor Mbandezi
Since all Councillors were in favour of the proposal of Councillor E Meyer, it was unanimously

**RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on Thursday, 25 May 2017, folio no’s 577(a) – 762, be adopted with the following amendments to Item E81-05/2017 on page 577 (e):

“Councillor W Buda  - For the motion of Councillor Mbandezi
Councillor W Fipaza - For the motion of Councillor Mbandezi
Councillor N Bobelo - For the motion of Councillor Mbandezi
Councillor P Lichaba  - For the motion of Councillor Mbandezi
Councillor S Mbandezi  - For the motion of Councillor Mbandezi
Councillor J Bruinders  - For the motion of Councillor Mbandezi
Councillor D Kamfer  - For the motion of Councillor Mbandezi
Councillor E Baron  - For the motion of Councillor Mbandezi
Councillor N Mbolombo- For the motion of Councillor Mbandezi”

- Upon a proposal by Councillor E Meyer, seconded by Councillor T Mvumvu it was

Unanimously

**RESOLVED:**

That the Minutes of the Special Council Meeting held on Wednesday, 31 May 2017, folio no’s 762(a) –942, be adopted.

- Upon a proposal by Councillor E Meyer, seconded by Councillor T Mvumvu it was

Unanimously
RESOLVED:

That the Minutes of the Special Council Meeting held on Tuesday, 13 June 2017, folio no’s 942(a) – 945, be adopted.

VII COGNISANCE: EXECUTIVE MAYOR’S RESOLUTIONS AND DEPUTY EXECUTIVE MAYOR’S RESOLUTIONS IN TERMS OF DELEGATED AUTHORITY AS PROVIDED FOR IN SECTION 59(1)(a) OF THE ACT ON LOCAL GOVERNMENT: MUNICIPAL SYSTEMS, 32 OF 2000:

Council took cognisance of the following Executive Mayoral Resolutions:

- Item No’s PI42-06/2017 – PI49-06/2017
- Item No’s TT6-06/2017
- Item No’s G6-06/2017 – G7-06/2017
- Item No’s F16-06/2017 – F19-06/2017
- Item No’s CG27-06/2017 – CG32-06/2017
- Item No’s SL30-06/2017 – SL37-06/2017
- Item No’s UB30-05/2017 – UB36-06/2017


Council took cognisance of the following Municipal Manager’s Resolutions:

- GM29-05/2017 – GM40-06/2017

IX COMMUNICATIONS BY THE EXECUTIVE MAYOR:

The Executive Mayor, Alderman H Levendal announced that no houses were burnt down during the raging fires and that there was only one instance in Joe Slovo where housing starter kits were provided. Furthermore, no clothes were distributed in June 2017, except for the 12 bags of clothes that were donated to Knysna by the Holy Nativity Church in Mossel Bay.

The Executive Mayor, Alderman H Levendal read a “Statement of Intent” regarding the water security for the Western Cape 2020 and beyond.
"The attainment of a resilient, sustainable, quality and inclusive living environment, hinges on progress made on ensuring the availability and sustainable management of water, for all.

We, the elected and mandated leaders, recognise and advocate urgent and collective action on:

1. Enhancing Water Conservation and Demand Management (WC&DM) efforts including adopting Water Sensitive Urban Design planning principles to permanently reduce the per capita demand on our water resources.

2. Concentrating resources and effort on the reduction of water leakages and non-revenue water losses within our distribution networks in its entirety.

3. Recognising the need to manage groundwater resources wisely for the ongoing protection of this resource. We commit to ensuring adequate expertise and support for the protection and wise use of this resource in our area.

4. Undertaking the necessary steps to institutionalise appropriate diversity of supply and treatment options from alternative technologies and sources including all practical direct and indirect water reuse options.

5. Protecting the quality and integrity of water resources, by reducing the volume to treated wastewater being released into natural water bodies and ensuring appropriate comprehensive treatment of any wastewater prior to release.

6. Adopting appropriate up-to-date By-Laws & regulations to ensure resource efficiency, drought restrictions and realistic water costing, water quality and appropriate payment for water catchment management services.

7. Building strong leadership, enhancing public awareness and community participation to collectively and inclusively design our common future and water security.

We endorse this Declaration and commit to institutionalising and monitoring progress on these commitments.

We confirm that this Declaration represents the commitment to accelerate local action towards integrated and sustainable water service delivery in the Western Cape by local government leaders, local government networks and partners.”
Furthermore, the Executive Mayor, Alderman H Levendal thanked all involved with the arrangements of the first Mayoral Golf Day to be held on Friday, 30 June 2017 at 11:00 and invited all Councillors to attend both the Golf Day as well as the opening of the Youth Café in Great Brak River at 14:00 on the same day.

The Executive Mayor, Alderman H Levendal announced that the draft in terms of the pledge regarding violence against women and children is nearly finalised and expressed the urgency hereof.

The Executive Mayor, Alderman H Levendal concluded by welcoming the Acting Chief Financial Officer, Mr L Fourie to the meeting.

**COMMUNICATIONS BY THE SPEAKER:**

The Speaker, Alderman P Terblanche congratulated the Executive Mayor and Director with their birthdays:

The Executive Mayor, Alderman H Levendal with his birthday on 21 June 2017  
The Director: Corporate Services, Mr E Jantjies with his birthday on 16 June 2017

Hereafter the Speaker, Alderman P Terblanche announced with regret the passing away of various people whereafter Council rose in silence for a few moments whilst adopting a motion of condolence with the bereaved.

**QUESTIONS ARISING FROM THE MINUTES:**

The Executive Mayor, Alderman H Levendal, informed the Speaker, Alderman P Terblanche that he received one question which the Executive Mayor, Alderman H Levendal answered appropriately.

Before Item E92-06/2017 was discussed, Mr C Puren recused himself and left the Council Chambers.
E92-06/2017

NOTICE OF MOTION IN TERMS OF RULE 46 OF THE RULES REGULATING THE CONDUCT OF MEETINGS OF THE COUNCIL OF THE MOSSEL BAY MUNICIPALITY:
APPOINTMENT OF SENIOR MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER

Reference Number: 3/5/2; 12/3/4/26 (xAgenda P. 946,949)

Councillor S Mbandezi proposed, seconded by Councillor J Bruinders that the motion regarding the Appointment of Senior Managers directly accountable to the Municipal Manager be discussed by Council.

After further discussions, Councillor S Mbandezi requested a 20-minute caucus, which request was granted by the Speaker, Alderman P Terblanche.

Upon return of the caucus, Councillor S Mbandezi requested that the decision regarding the Appointment of Senior Managers directly accountable to the Municipal Manager be revisited by Council.

The Deputy Executive Mayor, Councillor D Kotzé counter proposed, seconded by Councillor A Janse van Rensburg as follows:

“1. That it be noted that the settlement of the dispute between the Municipality and Mr C B Puren has been debated with extensively during the Council Meetings held on 26 January 2017 and 23 February 2017.

2. That the appointment of Mr C B Puren as Executive Official: Strategic Services gives effect to the settlement agreement.”

Hereafter the proposal of The Deputy Executive Mayor, Councillor D Kotzé was brought to the vote and the voting was as follows:

17 Votes in favour of the proposal of The Deputy Executive Mayor, Councillor D Kotzé.
9 Votes against the proposal of The Deputy Executive Mayor, Councillor D Kotzé.

It was therefore with a majority of votes
RESOLVED

1. That it be noted that the settlement of the dispute between the Municipality and Mr C B Puren has been debated with extensively during the Council Meetings held on 26 January 2017 and 23 February 2017.

2. That the appointment of Mr C B Puren as Executive Official: Strategic Services gives effect to the settlement agreement.

KUGQITYWE


Before Item E93-06/2017 was discussed, Mr C Puren re-entered the Council Chambers.

E93-06/2017

NOTICE OF MOTION IN TERMS OF RULE 46 OF THE RULES REGULATING THE CONDUCT OF MEETINGS OF THE COUNCIL OF THE MOSSEL BAY MUNICIPALITY:

PREFERENTIAL PROCUREMENT ACT PROMULGATE 1 APRIL 2017

Reference Number: 3/5/2;12/3/4/26 (xAgenda P. 950,951)

Councillor J Bruinders proposed, seconded by Councillor P Lichaba that the motion regarding the Preferential Procurement Act promulgated on 1 April 2017 be discussed by Council.

After further discussions, the Deputy Executive Mayor, Councillor D Kotzé counter proposed, seconded by Councillor L Rauch, as follows:

“1. That it be noted that the Preferential Procurement Regulations 2017 took effect on 1 April 2017 and that it will be implemented as such by Supply Chain Management.
2. That a workshop was held on 29 May 2017 to discuss the implementation and effect thereof with all Councillors.”

After further discussions, Councillor J Bruinders requested a 10 minute caucus, which request was granted by the Speaker, Alderman P Terblanche.

Upon return of the caucus, Councillor J Bruinders requested that the motion as submitted by the ANC Causes stand as is.

Hereafter the proposal of the Deputy Executive Mayor, Councillor D Kotzé was brought to the vote and the voting was as follows:

18 Votes in favour of the proposal of the Deputy Executive Mayor, Councillor D Kotzé.
8 Votes against the proposal of the Deputy Executive Mayor, Councillor D Kotzé.

It was therefore with a majority of votes

RESOLVED

1. That it be noted that the Preferential Procurement Regulations 2017 took effect on 1 April 2017 and that it will be implemented as such by Supply Chain Management.

2. That a workshop was held on 29 May 2017 to discuss the implementation and effect thereof with all Councillors.

KUGQITYWE

1. Ukuba kuqondwe ukuba iMigaqo Yokuthenga ngokuKhethekileyo ka 2017 iqale ukusebenza ngowe 1 Apreli 2017 kwaye iyakusetyenziswa ngolo hlobo luLawulo lweKhonkco loBonelelo.

2. Ukuba iseshoni yokwazisa yayibanjiwe ngomhla wama 29 Meyi 2017 ngenjongo yokuxoxa ngokufezekiswa kwayo kwanempembelelo yayo kunye nabo bonke ooCeba.

Reference Number: 4/2/2/4  (xAgenda P. 952,955)

Councillor J Bruinders informed Council that this Item will be withdrawn awaiting correspondence from the Minister of National Government.

AGREEMENT WITH HERBERTSDALE PRIMARY SCHOOL

Reference Number: 8/1/B  (xAgenda P. 956,969)

Unanimously

RESOLVED

1. That 30 kilolitres of water per month be supplied free of charge from January to December each year for the watering of the Herbertsdale Rugby Field.

2. That the field be mowed in the beginning of January and be chalked for their athletics event.

3. That should a regional athletics schools event be hosted at Herbertsdale Primary School, the Municipality will be responsible to mow and chalk the athletics track once again.

4. That the mowing and chalking of the rugby field for rugby games remain the same as per the current agreement.

5. That no credit be given for any previous accounts.

6. That the agreement for the supply of 20 kilolitres of water per month free of charge not be backdated from 1 January 2017.
7. That the supply of 30 kilolitres of water per month free of charge be applicable from 1 July 2017.

8. That restrictions may be imposed on the supply of 30 kilolitres of free water per month in the event of a drought.

9. That the agreement be amended as such and that delegated powers be awarded to the Director: Community Services to finalise and sign the Addendum.

KUGQITYWE

1. Ukuba lama-30 eekhilolitha zamanzi ngenyanga abonelelwe mahala ukusuka kuJanyuwari ukuya kuDisemba rhoqo ngonyaka ekunkcenkceshelweni kwebala lebhola yombhoxo.

2. Ukuba ibala lichetywe ekuqaleni koJanyuwari kwaye liphawulwe ngetshoko ukulungisela imidlalo yeimbaleki.

3. Xa kukho umnyadala weembaleki obandakanya izikolo zengingqi,lo mnyadala ubanjelwe eHerbertsdale Primary Schoo,ze uMasipala abe noxanduva lokucheba nokuphawula ngetshoko ibala elo kwakhona.

4. Ukuba ukuchetywa nokuphawulwa kwebala lombhoxo kuhlale kusisivumelwano esifanayo nesi sikhoyo.

5. Ukuba kungabikho saphulelo kumatyala angaphambili.


REQUEST FOR APPROVAL OF THE LOCAL ECONOMIC DEVELOPMENT STRATEGY

Reference Number: 12/3/5/16/3; 12/3/6/5; 3/2/1/3/1  (xAgenda P. 970,1094)

Unanimously

RESOLVED


2. That the Socio-Economic Development Section facilitates the roll out of the Local Economic Development Strategy for the period 1 July 2017 – 30 June 2022.

KUGQITYWE

1. Ukuba iBhunga lisamkele Isakhono sobumbo soPhuhliso loQoqosho lwasekuhlaleni kwisigaba esiqala ngowe 1 julayi 2017 ukuya kowama 30 Juni 2022.

2. Ukuba iCandelo loPhuhliso lweNtlalo noQoqosho liququzelele ukuhanjiswa kwesi sakhono sobumbo soPhuhliso loQoqosho lwasekuhlaleni kwisigaba esiqala ngowe 1 Julayi 2017 – 30 Juni 2022.

POLICY ON PROCEDURES FOR BUSINESS LICENCES

Reference Number: 14/B  (xAgenda P. 1095, 1106)

Unanimously

RESOLVED

KUGQITYWE


E98-06/2017

COMMUNITY HALLS AND FACILITIES USAGE POLICY

Reference Number: 7/1/B (xAgenda P. 1107, 1120)

Councilor J Gouws abstained from this Item.

Unanimously

RESOLVED

1. That Council adopts the revised Community Halls and Facilities Usage Policy with effect from 1 July 2017.

2. That the 2017/2018 Tariff Policy be adjusted accordingly.

KUGQITYWE

1. Ukuba iBhunga liwamkele uMgaqo-nkqubo ohlaziyiweyo wokusetyenziswa kwamaHolo Oluntu kunye neendawo ukusukela kowe 1 Julay 2017.


E99-06/2017

DRAFT CODE OF CONDUCT FOR WARD COMMITTEE MEMBERS

Reference Number: (xAgenda P. 1121,1127)

Unanimously
RESOLVED

1. That the Draft Code of Conduct for Ward Committee Members attached hereto, marked as Annexure A be approved for participation with the Ward Committees.

2. That a participation process be followed by the Ward Councillors with their Ward Committees and that comments be submitted to the Manager: Legal Services by not later than 18 July 2017 whereafter an Item be referred back to Council for consideration.

KUGQITYWE


2. Ukuba inkqubo yokuthatyathwa kwenxaxheba lulentu ilandelwe ngooCeba beeWadi kunye neeKomiti zabo zeeWadi kwaye nezihlomelo zingeniswe kuMphathi: iiNkonzo zoMthetho kungadlulanga umhla we 18 Julayi 2017 ze emva koko lombandela ubuyiselwe kwiBhunga ukuze liwuqwalasele.

**E100-06/2017**

**IDP/BUDGET PROCESS PLAN/ TIME SCHEDULE 2018-2019**

Reference Number: 15/2/2/2 (xAgenda P. 1128,1149)

Unanimously

RESOLVED

That the 2018-2019 IDP and Budget Process Plan/Time Schedule be approved.

KUGQITYWE

**E101-06/2017**

**PUBLIC LIBRARY INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) POLICY FOR PUBLIC USERS**

Reference Number: 17/4/B (xAgenda P. 1150,1164)

Unanimously

RESOLVED

That Council approves the Mossel Bay Municipality: Public Library Information and Communication Technology (ICT) Policy for Public Users with effect from 1 July 2017.

KUGQITYWE

Ukuba iBhunga liwamkele uMgaqo-nkqubo kaMasipala waseMossel Bayi omalunga noNxibelelwano kunye neeNgombolo zobuGcisa kumaThala eenewadi ukusukela kow 1 Julayi 2017.

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**E102-06/2017**

**BI-ANNUAL REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE CHAIRPERSON ON PERFORMANCE MANAGEMENT FOR THE PERIOD ENDING 31 DECEMBER 2016**

Reference Number: 3/2/3/11; x 4/10 (xAgenda P. 1165,1169)

Unanimously

RESOLVED

That cognisance be taken of the Bi-annual Report on the Audit and Performance Audit Committee Chairperson on Performance Management for the period ending 31 December 2016.
KUGQITYWE

Ukuba kuthatyathelwe ingqwalasela iNgxelo Yombindi-Nyaka malunga noPhicotho kunye noSihlalo weKomiti yoPhicotho ioMsebenzi ngakuLawulo ioMsebenzi kwisgaba esiphele ngowama 31 Disemba 2016.

E103-06/2017

ALIENATION OF A PORTION OF ERF 912 AND A PORTION OF ERF 1260, SITUATED AT THEMBELIHLE AVENUE, KWANONQABA, MOSSEL BAY (±5 000m²): GROWING HOPE TRUST

Reference Number: 12/3/5/16/3 (xAgenda P. 1170,1175)

Unanimously

RESOLVED

1. That it be noted that a public participation process was followed and no objections or comments were received.

2. That Item E21-02/2017 be implemented as follows:

   “1. That approval be granted for the alienation of a portion of Erf 912 and a portion of Erf 1260, situated at Thembelihle Avenue, Kwanonqaba, Mossel Bay (±5 000m²) to Growing Hope Trust at a market related purchase price of R250 000,00 (VAT inclusive), since it is not required for basic municipal purposes, in order to erect a vegetable seedling nursery and a Multifunctional Community and Training Centre.

   2. That a reversion condition be included in the Deed of Sale as well as the Title Deed that these portions of Erf 912 and Erf 1260 be utilised for a vegetable seedling nursery and a Multifunctional Community and Training Centre only and should the Applicant fail to erect a vegetable seedling nursery and a Multifunctional Community and Training Centre within two (2) years from the date of registration, the erf will revert back to the Municipality for the same amount as the original purchase price.

   3. That the Applicant will not erect any structure that could alter or in any way disturb the existing services and servitudes on the abovementioned property.

   4. That the Applicant submits a building plan to Directorate: Planning and Integrated Services for consideration and approval prior to commencement of any building works.”
5. *That the Municipality reserves the right of free access to the property, without notice, for the purpose of inspection, maintenance, renewal, cleansing, repair and construction of municipal services.*

6. *That the Applicant will be responsible for all costs of the application, including transfer and service connection fees.*

7. *That the application is subject to the approval of a land use application in terms of Section 15 of the Municipal Planning By-Law, 2015.*

8. *That the Municipality be indemnified against damages caused by any stormwater overflow/flooding or any other causes that may occur in the future. This precondition must also be included in the Title Deed.*

9. *That no rights and/or obligations will vest herein before the Deed of Sale is signed by both parties.*

**KUGQITYWE**

1. *Ukuba kuqwalaselwe ukuba inkqubo yokuthatyathwa kwenxaxheba luluntu yalandelwa kwaye akuzange kufumanekke ziphikiso okanye izingeniso.*

2. *Ukuba iNqaku E21-02/2017 kufuneka lisetyenziswe ngolu hlobolo lulandelayo:*

   “1. *Ukuba imvume inikezelwe ekuphelisweni kobunini kwinxalenye yeSiza 912 kwanenxalenye yeSiza 1260, eziseThembeliHL Avenue, KwaNonqaba, eMossel Bhayi (±5 000m²) bunikezelwe kwi Growing Hope Trust ngexabiso elingqamene nemakethi eliyi R250 000,00 (iRhafe ifakiwe), kuba lo mhlaba unqafunelwa iinjongo ezisisiseko zikamasisale, khow'ukuze kwenzenze kwona isitiya sokulima izithole zezityalo kwaneZiko loluntu eliyakubonelela ngeNkonzo ezahlukoneyo.*

   2. *Ukuba umqathango wokubuyiselwe ubandakanye kuXwebhu leNtengo nakuXwebhu loBunini lokuba ezi nxenye zeZiza 912 no 1260 zisetyenziselwe kufhela isitiya sokulima izithole zezityalo kwaneZiko loluntu elibandakanya iinKoko ezahlukoneyo kwaye ukuba uMenzi-sicelo uyasilelela ukumisela ezi njongo kwisithuwa seminyaka emibini(2) ukusa kuma kuhla wobhaliso, esi siza siya kubuyiselwe kuMasipala kwangexabiso elinye neliya lentengo yokupalana.*

   3. *Ukuba uMenzi-sicelo akayi kumisela nasiphina isiqu kule ndawo nesiya kukuqula ngayo nangayiphina indlela okanye siphazamisane neenkonzo ezikhoyo kunye neendlelana ezikule ndawo.*

   4. *Ukuba uMenzi-sicelo angenise isicwanga sokwakha kuLawulo loCwangciso neeNkonzo ezidityanisiwayo ukuze ziqwalaselwe kwaye ziguqunyapiswe phambis kokubu kuqaliswe ngawo awuphina umsebenzi wokwakha.*
5. Ukuba uMasipala uya kuba nelungelo lokungena naninina kule ndawo, ngaphandle kokwazisa, ngenjongo yokwenza uhlolo, ukugcina le ndawo ikwineko efanelekileyo, ukwenza-ntsha, ukucoca, ukulungisa kwanokufakela iinkonzo zikamasipla.


9. Ukuba kungabikho malungelo nazibophelelo ziyakubakho apha phambi kokuba olu Xwebhu leNtengo lube lutyikitywe ngawo omabini la maqela.

**E104-06/2017**

**APPLICATION FOR REZONING AND DEPARTURE IN TERMS OF SECTIONS 17 AND 15(1)(A)(I) OF THE LAND USE PLANNING ORDINANCE, 1985: ERF 7301, 56 NERINA ROAD, DANA BAY, MOSSEL BAY**

Reference Number: 15/4/16/1/5 – 15/4/16/1/4 (xAgenda P. 1175,1181)

Councillor M de Klerk proposed, seconded by Councillor C Bayman that the recommendation be adopted with the deletion of point (4) of the recommendation:

“1. That the application in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of Erf 7301, Dana Bay, Mossel Bay from Single Residential Zone to General Residential Zone in order to erect 6 flats of ±69m² each, not be approved.

2. That the application for a departure in terms of Section 15(1)(a)(i) of the Land Use Restriction Ordinance on Erf 7301, Dana Bay, Mossel Bay from the 1000m² minimum erf size for a General Residential premises to 893m², not be approved.

3. That the decisions in terms of 1 - 2 above are taken for the following reasons:
3.1 The objections are deemed as substantive and the approval of the application can lead to the creation of an unnecessary precedent.

3.2 The residential area of Dana Bay is deemed as a low density single residential area and the proposed flats are not in line with the character of the area.

3.3 The proposal will create an undesired precedent for further density that will put pressure on municipal services and infrastructure.”

Since all Councillors were in favour of the proposal it was

Unanimously

RESOLVED

1. That the application in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of Erf 7301, Dana Bay, Mossel Bay from Single Residential Zone to General Residential Zone in order to erect 6 flats of ±69m² each, not be approved.

2. That the application for a departure in terms of Section 15(1)(a)(i) of the Land Use Restriction Ordinance on Erf 7301, Dana Bay, Mossel Bay from the 1000m² minimum erf size for a General Residential premises to 893m², not be approved.

3. That the decisions in terms of 1 - 2 above are taken for the following reasons:

   3.1 The objections are deemed as substantive and the approval of the application can lead to the creation of an unnecessary precedent.

   3.2 The residential area of Dana Bay is deemed as a low density single residential area and the proposed flats are not in line with the character of the area.

   3.3 The proposal will create an undesired precedent for further density that will put pressure on municipal services and infrastructure.

KUGQITYWE

The Director: Community Services, Mrs E Nel excused herself and left the Council Chambers before Item E105-06/2017 was discussed.

**E105-06/2017**

**ALIENATION OF A PORTION OF A PUBLIC OPEN SPACE, ERF 2015, SITUATED ADJACENT TO ERF 2014, 54 GEELHOUT AVENUE, HARTENBOS (±114M²): MR JG SWART**

Reference Number: 7/2/2/1 (xAgenda P. 1181, 1188)

Unanimously

**RESOLVED**

1. That it be noted that a public participation process was followed and no objections or comments were received.

2. That Item E195-11/2016 be implemented as follows:
1188

Minutes: Ordinary Council
Meeting: 2017-06-29

“1. That approval be granted for the alienation of a portion of the Public Open Space, Erf 2015, situated adjacent to Erf 2014, 54 Geelhout Avenue, Hartenbos (±114m²) to Mr JG Swart at a market related purchase price of R23 800,00 (VAT inclusive) since it is not required for basic municipal purposes, in order to extend his property.

2. That the Applicant will not erect any building/structure, alter or in any way disturb the existing services and servitudes on the premises.

3. That the Municipality reserves the right of free access to the property, without notice, for the purpose of inspection, maintenance, renewal, cleansing, repair and construction of existing municipal services.

4. That the Applicant will be responsible for the payment of all municipal services including rates and taxes in respect of the premises to the satisfaction of the Manager: Income Section.

5. That the Applicant will be responsible for all costs regarding the alienation, including transfer and service connection fees.

6. That the alienation is subject to the approval of the land use application in terms of the Mossel Bay By-Law on Municipal Land Use Planning, if applicable.

7. That no rights and/or obligations will vest herein before the Deed of Sale is signed by both parties.

KUGQITYWE

1. Ukuba kuqwalaselwe ukuba inkqubo yokuthatyathwa kwenxaxheba luluntu yalandelawa kwaye zange kwafunyunwa ziphikizo nazingeniso:

2. Ukuba iNqaku E195-11/2016 lisetyenziswe ngolu hlobo lulandelayo:

   “1. Ukuba imvume inikezelwe ekupheli communities ngakwinxalenye yomhlaba ovulekileyo, kwiSiza 2015, esisecaleni kweSiza 2014, e-54 Geelhout Avenue, eHartenbos (±114m²) bunikezelwe kuMnu JG Swart ngexabiso elinggamene nemakethi eliyi R23 800,00, (iRhafu ifakiwe) kuba lo mhlaba ungajongelwanga imfuno ezisisiseko zikamasipala, khon’ukuze andise umhlaba wakhe.

2. Ukuba umenzi-sicelo akayi kumisisa nantonina esisakhiwo, aguqule nangaluphina uhlobo okanye aphazamisane nangaluphina uhlobo iinkonzo ezikhoyo kunye neendledlana kule ndawo.

3. Ukuba uMasipala uya kuba nelungelo elilodwa lokungena kule ndawo, ngaphandle kokwazisa, ngenjongo yokwenza uhlolo, ukuqcinza le ndawo ikwisimo esifanelekileyo, ukwenza ngokutsha ,ukucoca ,ukwesalingisa kwanokulungisa iinkonzo ezikhoyo zikamasipala kule ndawo.
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5. Ukuba uMenzi-sicelo uya kuba noxanduva lwazo zonke iindleko ezimalunga nokupheliiswa kobunini, kubandakanya iindleko zokugqulwa kobunini kunye neendleko zokufakelwa kweenkonzo.


7. Ukuba kungabikho malungelo naziphelelo ziyakubakho phambi kokuba esi Sivumelwano seNgqesho sibe sityikitywe ngawo omabini la maqela.”

E106-06/2017

POLICY ON RENTING OF COMMERCIAL ADVERTISING SPACE
FOR STREET POLE ADVERTISING SIGNS IN MOSEL BAY

Reference Number: 10/2/1/2 (xAgenda P. 1188, 1191)

Unanimously

RESOLVED


2. That, in order to effectively implement Decision 1. above, a departure in terms of Sections 30 of the By-Law Regarding Outdoor Advertising from the limitation of 50m from a the centre of an intersection, as stated in Schedule 5(3)(1) of the By-Law, be approved.

3. That a Technical Evaluation will be conducted when an application is submitted, to determine the minimum distance from the centre of an intersection, that will be permitted.

KUGQITYWE

1. Ukuba iBhunga lisamkele isiQulunqo-Mgaqo-Nkqubo soPapasho lw eeMpawu zoShishino kwiiPali zeziTalato eMossel Bhayi.
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2. Ukuba, ukuze kufeze kiswe ngokupheleleyo isiGqibo esithatyathwe ku-1 apha ngentla, utyeshe lo phantsi kweCandelo 30 loMthetho omalunga noPapasho lwangaphandle ukusuka kumiselo lwe 50m ukusuka kumbindi womdibaniso, njengokuba kuchaziwe kwiSihlomelo 5(3)(1) laMthetho, kufuneka lugunyaziswe.

3. Ukuba uVavanyo loBugcisa lwenziwe xa isicelo sithe sangeniswa, ukuqunusekisa ubungakanani bomgama ukusuka kumdibaniso, oyakuvunyelwa.

E107-06/2017

RENEWAL OF THE LEASE AGREEMENT OF A PORTION OF PAVEMENT SITUATED ADJACENT TO ERF 3250, HARTENBOS (±410M²): MR J ELLIS

Reference Number: BE 4 (xAgenda P. 1191, 1197)

Unanimously

RESOLVED

1. That it be noted that the public participation process was followed and no objections or comments were received.

2. That Item E20-02/2017 be implemented as follows:

   “1. That approval be granted to the Applicant, Mr J Ellis, for the renewal of the Lease Agreement of the portion of pavement situated adjacent to Erf 3250, Hartenbos (±410m²) for a period of nine (9) years and eleven (11) months, to be utilised for the purposes of a forecourt of the filling station and to accommodate the overhang of the roof structure, since it is not required for basic municipal purposes, at a market related rental amount of R350,00 per month (VAT inclusive), with an annual escalation equal to the CPIX percentage. The applicable CPIX percentage shall be the CPIX of two (2) months prior to the date of escalation in terms of the agreement.

2. That the Applicant will not sublet the erf or any portion thereof without prior written approval of the Municipality.

3. That the Applicant will be responsible for the maintenance of the premises to the satisfaction of the Municipality.”
4. That the Municipality reserves the right of free access to the property, without notice, for the purposes of inspection, maintenance, renewal, cleansing, repair and construction of municipal services.

5. That the Applicant will indemnify the Municipality against any claim which may originate as a result of its use of the property.

6. That no rights and/or obligations be vested prior to the Lease Agreement being signed by both parties.”

**KUGQITYWE**

1. Ukuba kuqwalaselwe ukuba inkqubo yokuthatyathwa kwenxaxheba lulumtu yalandelwa kwaye akuzange kubekho ziphikiso nazingeniso zaye zafumaneka.

2. Ukuba iNqaku E20-02/2017 lisebenze ngolu hlobo lulandelwayo:

   “1. Ukuba imvume inikezelwe kuMenzi-sicelo, uMnu J Ellis, ukuba ahlaziyelwe iSivumelwano seNgqesho kwinxalenye yepavemente esecaleni kweSiza 3250, eHartenbos (±410m²) isithuba seminyaka elithoba(9) kunye neenyanga ezilishumi elinanye(11), ukuze isetyenziselwe injongozebala eliphambi kwesikhulu samafutha kwanokugquma uphahla oluphezu kwayo, kuba ingafunelwa injongo ezisisiseko zikamasipala, ngxabiso elinguqama nemakhethi eliyi R350,00 ngenyanga (iRhafu ifakiwe), phantsi komqathango wokunyuka kwamandla emali alingenana nepesenti yeCPIX, iCPIX echaphazelekayo iya kuba yileyo yeenyanga ezimbini(2) phambis komhla wokunyuka kwamandla emali ngokweziathango yesivumelwano.

   2. Ukuba uMenzi-sicelo akayi kushhind体质 ayiqeshise le ndawo okanye nayiphina inxalenye yayo ngaphandle kwemvume ebhaliweyo kaMasipala.

   3. Ukuba uMenzi-sicelo uya kuba noxanduva lokugcina lendawo okwisiyo esifanelekileyo ngendlela eyakwanelisa uMasipala.

   4. Ukuba uMasipala uya kuba nelungelo elilodwa lokungena kule ndawo, ngaphandle kokwazisa, ngenjongo zokwenza uhlolo, ukulungisa, ukucoza kwanokufakela inkonzo zikamasipala.

   5. Ukuba uMenzi-sicelo uya kulukhupha uxanduva kuMasipala malunga naliphina ibango elinokuvela ngenxa yokuseteyenziwa kwale ndawo.

   6. Ukuba kungabikho malungelo nazibophelelo ziyakubakho phambis kokuba esi Sivumelwano seNgqesho sibe sityikitywe ngawo omabini la maqela.
E108-06/2017

ALIENATION OF A PORTION OF A PARK, PORTION OF ERF 111, SITUATED ADJACENT TO ERF 783, MYBURGH STREET, GREAT BRAK RIVER (±522M²): LB LEKAY

Reference Number: 15/4/34/9 (xAgenda P. 1197, 1203)

Unanimously

RESOLVED

1. That approval be granted for the alienation of a portion of a park, portion of Erf 111, situated adjacent to Erf 783, Myburgh Street, Great Brak River (±522m²), to the Applicant, Ms LB Lekay at a market related purchase price of R260 000,00 (VAT inclusive), since it is not required for basic municipal purposes, to be utilised for the erection of the house.

2. That a reversion condition be included in the Deed of Sale as well as the Title Deed that a portion of a park, portion of Erf 111, situated adjacent to Erf 783, Myburgh Street, Great Brak River be utilised for residential purposes only and should the Applicant fail to erect a house within two (2) years from date of registration and not use the property as specified, the erf will revert back to the Municipality for the same amount as the original purchase price.

3. That the Applicant will not alter or in any way disturb the existing services and servitudes on the abovementioned property.

4. That the Municipality reserves the right of free access to the property, without notice, for the purposes of inspection, maintenance, renewal, cleansing, repair and construction of existing services.

5. That the Applicant will be responsible for the payment of all municipal services including rates and taxes in respect of the premises to the satisfaction of the Manager: Income Section.

6. That the Applicant will be responsible for all costs regarding the alienation, including advertisement, transfer and service connection fees.

7. That the Municipality be indemnified against any damage or other causes, or any stormwater overflow/flooding that may occur in the future.

8. That the Applicant submit a building plan to Directorate: Planning and Integrated Services for consideration and approval prior to commencement of any building works.

9. That the alienation is subject to the approval of a land use application in terms of the Mossel Bay By-Law on Municipal Land Use Planning.
10. The applicant will be responsible at her own cost for the survey, closure, subdivision and rezoning of this portion of Erf 111, Great Brak River.

11. That the public participation process as prescribed in the relevant legislation be followed.

12. That after completion of the prescribed public participation process, this item be referred back to Council for consideration.

13. That no rights and/or obligations will vest herein before the Deed of Sale is signed by both parties.

KUGQITYWE

1. Ukuba imvume inikezelwe ekuphelisweni kobunini ngakwinxalenye yepaki, inxenye yeSiza 111, esayamene neSiza 783, eMyburgh Street, eGroot Braka (±522m²), inikezelwe kuMenzi-sicelo, uNkszn LB Lekay ngexabiso elingqamene nemakethi eliyi R260 000,00 (iRhafu yentengo ifakiwe), kuba le ndawo ingajongelwanga iimfuno ezisisiseko zikamasipala, ukuba isetyenziselwe ekwakhiweni kwendlu.

2. Ukuba isolotya lokubuyiselwa libandakanywe kuXwebhu IweNtengo kwakunye nakuXwebhu loBunini nelithi inxalenye yepaki, inxenye yeSiza 111, esimelene neSiza 783, eMyburgh Street, eGroot Braka isetyenziselwe kuphela iinjongo zokuhlala kwaye ukuba uMenzi-sicelo uyasilela ukumisela indlu yokuhlala kwisithuba esiphakathi kweminyaka emibini(2) ukusukela kumhla wobhaliso ze angayisebenziseli le ndawo injongo ephambili nebimiselwe yona, isiza siya kubuyiselwa kuMasipala kwangexabiso elifanayo nelo lentengo yangaphambili.


4. Ukuba uMasipala uyakuba nelungelo lokungena mahala kule ndawo, ngaphandle kokwazisa, ngenjongo zokwenza uhlolo, ukulungisa, ukwenza ngokutsha, ukuco kwanokufakela iinkonzo kule ndawo.

5. Ukuba uMenzi-sicelo uya kuba noxanduva lwendleko zeenkonzo zikamasipala kubandakanya iirhafu nemirhumu kule ndawo ngendlela eyakwanelisa uMphathi : iCandlo leNgeniso.

6. Ukuba uMenzi-sicelo uya kuba noxanduva lwazo zonke iindleko zokupheliswa kobunini bale ndawo, kubandakanya iindleko zopapasho, ukuguqula ubunini kwakunye neendleko zokufakela kweenkonzo.

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8. Ukuba uMenzi-sicelo angenise isicwangciso sokwakha kuLawulo: uCwangciso neeNkonzo zoShishino ukuze siqwalaselwe ze sigunyaziswe phambi kokuba kuqaliswe ngawo nawuphina umsebenzi wokwakha.


11. Ukuba inkqubo yokuthatyathwa kwenxaxheba luluntu njengokuba imiselwe ngumthetho ochaphazekayo, kufuneka ilandelwe.

12. Ukuba emva kokuqukunjelwa kwale nkqubo yokuthatyathwa kwenxaxheba luluntu, lo mbandela uphinde ubuyiselwe kwiBhunga ukuze liwuqwalasele.

13. Ukuba kungabikho malungelo nazibophelelo ziyakubakho kulo mbandela phambi kokuba esi Sivumelwano seNgqesho sibe sityikitywe ngawo omabini la maqela.

**E109-06/2017**

**GREAT WATER LOSS AT 81 DUIKER CRESCENT OUTENIQUA BEACH**

Reference Number: 5/13/1 (xAgenda P. 1203,1205)

Unanimously

RESOLVED

That the maximum amount of R25 000 in respect of the 2 528 kiloliters water that was lost at 81 Duiker Crescent, Outeniqua Beach, be written off.

**KUGQITYWE**

Ukuba isixa-mali esiphezulu esiyi R25 000 malunga nekhilolitha ezili 2 528 zamanzi athe ayilahleko eDuikersirkel 81, eOuteniquastrand, sicinywe esi isixa-mali.
E110-06/2017
MONTHLY DEVIATION REPORT AS PREPARED BY SUPPLY CHAIN MANAGEMENT FOR THE PERIOD ENDING 30 APRIL 2017
Reference Number: 9/2/1/7 (xAgenda P. 1205,1206)

Unanimously
RESOLVED
That cognisance be taken of the monthly deviation report for the period ending 30 April 2017, as attached hereto.

KUGQITYWE
Ukuba kuthatyathelwe ingqwalasela ingxelo yotyeshelo yenyanga kwisigaba esiphela ngowama 30 Apri 2017,njengokuba incanyathiselwe apha.

E111-06/2017
QUARTERLY REPORT OF SUPPLY CHAIN MANAGEMENT FOR THE PERIOD ENDING 31 MARCH 2017
Reference Number: 8/1/2 (xAgenda P. 1207,1208)

Unanimously
RESOLVED
That cognisance be taken of the quarterly report of the Supply Chain Management Section for the period ending 31 March 2017.

KUGQITYWE
Ukuba kuthatyathelwe ingqwalasela ingxelo yekota ephuma kwiCandelo loLawulo lweKhonkco loBonelelo kwisigaba esiphela ngowama 31 Matshi 2017.
**E112-06/2017**

**MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 10 FEBRUARY 2017**

Reference Number: (xAgenda P. 1208,1211)

Unanimously

RESOLVED

That cognisance be taken of the Minutes of the Audit Committee Meeting held on 10 February 2017.

**KUGQITYWE**

Ukuba kuthatyathelwe ingqwalasela iMizuzu yentlangaiso yeKomiti yoPhicotho ebibanjwe ngomhla we 10 Febhuwari 2017.

**E113-06/2017**

**APPROVAL OF AUDIT COMMITTEE TERMS OF REFERENCE AND INTERNAL AUDIT ACTIVITY CHARTER**

Reference Number: (xAgenda P. 1212,1230)

Councillor M de Klerk proposed, seconded by Councillor J Bruinders that the recommendation be adopted.

Councillor B Groenewald requested that the following amendments to point (2.1, paragraph 4) of the Audit Committee Terms of Reference be made which read as follows:

“(2.1). The Chief Financial Officer and/or Municipal Manager **should** attend Committee meetings as standing invitees, but not as members of the Committee.”

Since all Councillors where in favour of the proposal of Councillor M de Klerk and the request of Councillor B Groenewald, it was

Unanimously
RESOLVED

That the Audit Committee Terms of Reference and Internal Activity Charter be approved with the following amendment to point 2.1, paragraph 4 which reads as follows:

“The Chief Financial Officer and/or Municipal Manager should attend Committee meetings as standing invitees, but not as members of the Committee.”

KUGQITYWE

Ukuba imiqathango yoBhekiso yeKomiti yoPhicotho kunye noMqulu weeNtshukumo zangaphakathi zamkelwe phantsi kwale nguqu kwinqaku 2.1, kumqolo 4 ofundeka ngolu hlobo lulandelayo:

"Ukuba iNtloko yeziMali kunye noMphathi kaMasipala kufuneka baye kwintlanganiso njengabamenywa abemiyo, kodwa bengengawo amalungu eKomiti"

E114-06/2017

RECOGNITION TO EMPLOYEES: 5TH CLEAN AUDIT

Reference Number: 4/B (xAgenda P. 1231)

Councillor M de Klerk proposed, seconded by Councillor E Meyer that the recommendation be adopted.

Councillor J Bruinders counter proposed, seconded by Councillor S Mbandezi that the ANC caucus is against the recommendation because the ANC do not agree with the process that was followed.

Councillor B Groenewald requested a 10 minute caucus which was granted by the Speaker, Alderman P Terblanche.

On return of caucus Councillor B Groenewald proposed that the following amendments be made to the recommendation and that it must read as follows:

“That Council ratifies and condones the awarding of a gift voucher to the value of R100 per staff member.”

Hereafter the proposal of Councillor B Groenewald was brought to the vote and the voting was as follows by means of a head count:
The Executive Mayor, Alderman H Levendal - For the proposal of Councillor B Groenewald
The Deputy Executive Mayor, Councillor D Kotzé - For the proposal of Councillor B Groenewald
The Speaker, Alderman P Terblanche - For the proposal of Councillor B Groenewald
Councillor J Bayman - For the proposal of Councillor B Groenewald
Councillor N C Booisen - For the proposal of Councillor B Groenewald
Councillor M de Klerk - For the proposal of Councillor B Groenewald
Councillor A Dellemijn - For the proposal of Councillor B Groenewald
Councillor V Fortuin - For the proposal of Councillor B Groenewald
Councillor M Furness - For the proposal of Councillor B Groenewald
Councillor B Groenewald - For the proposal of Councillor B Groenewald
Councillor A Janse van Rensburg - For the proposal of Councillor B Groenewald
Councillor M Kannemeyer - For the proposal of Councillor B Groenewald
Councillor E Meyer - For the proposal of Councillor B Groenewald
Councillor T Mvumvu - For the proposal of Councillor B Groenewald
Councillor L Rauch - For the proposal of Councillor B Groenewald
Councillor J Siyoko - For the proposal of Councillor B Groenewald
Councillor N Bobelo - Against the proposal of Councillor B Groenewald
Councillor J Bruinders - Against the proposal of Councillor B Groenewald
Councillor W Buda - Against the proposal of Councillor B Groenewald
Councillor W Fipaza - Against the proposal of Councillor B Groenewald
Councillor P Lichaba - Against the proposal of Councillor B Groenewald
Councillor S S Mbandezi - Against the proposal of Councillor B Groenewald
Councillor N Mbolompo - Against the proposal of Councillor B Groenewald
Councillor E Baron - Abstain from the proposal of Councillor B Groenewald
Councillor J Gouws - Abstain from the proposal of Councillor B Groenewald
Councillor D Kamfer - Abstain from the proposal of Councillor B Groenewald

It was thus with a majority of votes

RESOLVED

That Council ratifies and condones the awarding of a gift voucher to the value of R100 per staff member.

KUGQITYWE

Ukuba iBhungalikugunyazise kwaye likukhuthaze ukunikezelwa kwesipho seR100 kumqeshwa ngamnye.
E115-06/2017

NEDBANK OVERDRAFT FACILITY FOR 2017/2018 FINANCIAL YEAR

Reference Number: 5/18/B (xAgenda P. 1231,1244)

Councillor M de Klerk proposed, seconded by Councillor M Furness that the recommendation be adopted.

Councillor J Bruinders requested a 5 minute caucus which was granted by the Speaker, Alderman P Terblanche.

On return of caucus Councillor J Bruinders counter proposed, seconded by Councillor N Bobelo that the ANC caucus is against the recommendation because the ANC is not concurring with the process that was followed.

Hereafter the proposal of Councillor M de Klerk was brought to the vote and the voting was as follows:

18 Votes in favour of the proposal of Councillor M de Klerk.

8 Votes against the proposal of the Councillor M de Klerk.

It was thus with a majority of votes

RESOLVED

1. That the Council approves an overdraft facility of R10 million with Nedbank.

2. That the Municipal Manager and (Acting) Chief Financial Officer are authorised to sign the necessary documentation in this regard.

KUGQITYWE

1. Ukuba iBhunga likugenyzise ukusetyenziswa kwemali engaphaya kwekhoyo engange R10 yeziGidi zeeRandi kunye no Nedbank; kwaye

2. UMphathi kaMasipala kunye neGosa eliyiNtloko leziMali(elibambeleyo) bagunyaziswe ukuba batyikityye amaxwebhu ayimfuneko malunga nalo mbandela.
**E116-06/2017**

**PROPOSED AMENDMENTS TO THE ORGANOGRAM: COMMUNITY SERVICES**

Reference Number: 4/1/2/1 (xAgenda P. 1245,1246)

Unanimously

**RESOLVED**

That the proposed amendments to the organogram of Community Services be approved by Council with the effective date of 1 July 2017.

**KUGQITYWE**

Ukuba iinguqu ezicyetywayo kuhlenga-hlengiso lwezikhundla kwiiNkonzo Zoluntu zamkelwe liBhunga ukuqala kumhla we 1 Julayi 2017.

*Before E117-06/2017 was discussed, Councillor D Kamfer and Mr N Prins recused themselves and left the Council Chambers.*

**E117-06/2017**

**ALLEGED BREACH OF CODE OF CONDUCT: COUNCILLOR D KAMFER**

Reference Number: 3/3/1 (xAgenda P. 1246,1259)

Councillor A Dellemijn proposed, seconded by Councillor M Kannemeyer that the recommendation be adopted.

Councillor J Bruinders requested a 5 minute caucus which was granted by the Speaker, Alderman P Terblanche.

On return of caucus Councillor J Bruinders requested that the following amendments to point 1 of the Recommendation to read as follows:

“(1) That cognisance be taken of the report as received from the Speaker.”

Since all Councillors were in favour of the proposal of Councillor J Bruinders it was
Unanimously

RESOLVED

1. That cognisance be taken of the report as received from the Speaker.

2. That the matter be referred to the Code of Conduct Committee to investigate and make a finding on the alleged breach of the Code of Conduct and to make an appropriate recommendation to Council.

3. That the outcome of the investigation be reported to the MEC for Local Government.

KUGQITYWE

1. Ukuba kuthatyathelwe ingqwalasela ingxelo ngohlobo efunyenwe ngalo ukusuka kuSomlomo kwaye yamkelwe.

2. Ukuba lombandela ubhekiswe kwiKomiti yoMgaqo wokuziphatha ukuze yenze uphando ze inikezele iziphumo zayo malungu nokwaphulwa komgaqo wokuziphatha kwaye yenze isindululo esifanelekileyo esiya kwiBhunga.

3. Ukuba isiphumo sophando sibuyiselwe kwiBhunga phambi kokuba kwenziwe ingxelo ngaso kuMphathiswa wooRhulumente baseMakhaya ePhondweni.

Before Item E118-06/2017 was discussed, Councillor D Kamfer and Mr N Prins re-entered the Council Chambers.

The Director: Planning & Integrated Services, Mr C Venter excused himself from the Council Chambers, before Item E118-06/2017 was discussed.

E118-06/2017

REGIONAL LANDFILL FACILITY

Reference Number: 12/3/1/9; 16/4/2/4 (xAgenda P. 1260,1266)

Councillor N Booisen proposed, seconded by Councillor A Dellemijn that the recommendation be adopted.

The Municipal Manager, Adv T Giliomee advised that Item E118-06/2017 be amended, by adding the following to page 1262 after paragraph 1:
“Solid Waste Disposal Cost/Dumping Fees per annum

<table>
<thead>
<tr>
<th>Actual Year to date</th>
<th>Budgeted</th>
<th>Eden Proposal</th>
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<td>R2 505 807</td>
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<td>2014/2015</td>
<td>R2 649 154</td>
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<td>R2 726 931</td>
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<td>2016/2017</td>
<td>R3 811 529</td>
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<td>2017/2018</td>
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<td>2019/2020</td>
<td>R7 130 330</td>
<td>R23 264 465</td>
</tr>
</tbody>
</table>

Hereafter Councillor J Bruinders counter proposed, seconded by Councillor S Mbandezi that the ANC caucus is against the recommendation because the ANC is not concurring with the process that was followed.

The proposal of Councillor N Booisen was brought to the vote and the voting was as follows:

18 Votes in favour of the proposal of Councillor N Booisen.

8 Votes against the proposal of the Councillor N Booisen.

It was thus with a majority of votes

**RESOLVED**

1. That the report of the Municipal Manager with regard to the Regional Landfill Facility be noted and accepted *with serious concerns*.

2. *That R6 529 606 per annum in respect of dumping fees: District Council has been budgeted and is affordable for Mossel Bay Municipality.*

3. That cognisance be taken that a disastrous event with regard to waste disposal is threatening to occur in the Mossel Bay Municipal Area in terms of Section 49 of the Disaster Management Act.

4. That the possible non-availability of space for the disposal of waste by Mossel Bay Municipality be declared a disaster.
5. That MEC Mr A Bredell be informed of the situation and be requested to instruct his Department of Environmental Affairs and Development Planning to assist Mossel Bay Municipality to ensure that the matter is rectified and the disaster avoided or at least mitigated at no additional cost for Mossel Bay Municipality.

6. That delegated powers be awarded to a Committee consisting of the Executive Deputy Mayor, Councillor N Booisen, the Municipal Manager, and the Director: Community Services to negotiate with the MEC and to address the situation and to submit a progress report with recommendations to Council in this regard.

KUGQITYWE

1. Ukuba ingxelo yoMphathi kaMasipala emalunga neZiko lokulahla iNkukuma iqwalaselwe kwaye yamkelwe ihatshwa ziinkxalabo ezinkulu.


4. Ukuba ukungabikho komhlaba okanye indawo yokulahlwa inkukuma kuMasipala waseMossel Bhayi kumiselwe njengentlekele.

5. Ukuba uMphathiswa A uBredell aziswe ngemeko kwaye acelwe ukuba ayalele iSebe lezeNdalo kunye noCwangciso loPhuhliso ukuba ancedise uMasipala waseMossel Bhayi ekuqinisekiseni ukuba lombandelana uyaqwalaselwe kwaye nentlekele iyathintelwa okanye kwenzizwe intetho etethetheleyo ngaphandle kweendleko ngakuMasipala waseMossel Bhayi.

6. Ukuba amagunya apheleleyo anikezelwe kwiKomiti ebankanya uSodolophu wesiGqeba,uMphathi kaMasipala kwakunye noMlawuli weeNkonzo Zoluntu ukuba benze uthetha-thethwano kunye noMphathiswa ekuqwalaselweni kwale meko ze bangenise ingxelo kunye nezindululo kwBhunga malunga nalo mbandela.

E119-06/2017

PREPAID COMMERCIAL TARIFFS

Verwysing: 16/2/6/1 (xAgenda P. 1266,1270)
Unanimously

RESOLVED

1. That existing Commercial Consumers be allowed to be transferred between the two part and one part tariffs once per financial year, provided that the consumption is not less than 500 units for 10 months in a year.

2. That deposits paid on the two part tariffs not be refunded when the transfer from the two part tariff to the one part tariff is granted.

3. That adjusted deposits be payable based on the deposit tariff “1.1 Electricity deposits – Business” of the approved tariff list where there is a transfer from the one part to the two part tariff.

4. That changes only be made prospectively and only be applied after the date of the Council Resolution.

5. That the principles of the Incentive Policy with regards to specific areas do not apply to this Resolution.

KUGQITYWE

1. Ukuba abathengi bezoShishino abakhoyo ngoku bavunyelwe ukuba baguqulelwe phakathi kwexabiso elintlu-mbini kunye ne lo lintlu-nye ngonyaka, xa ukusetyenziswa kombane kungagqithisi kwi 500 yee-unithi kwisithuba seenyanga ezili-10 enyakeni.

2. Ukuba ii dipozithi ezihlawulwe kwixabiso elintlu-mbini lingabuyiselwa xa inguqu yenziwe ukusuka kwixabiso elintlu-mbini ukuya kwelintlu-nye.

3. Ukuba ii dipozithi ezilungisiweyo zihlawulwe phantsi kwexabiso elimisiweyo ”1.1 ii Dipozithi Zombane - uShishino” kuluhlul lwamaxabiso agunyazisiweyo apho kukho khona utshintsho olwenziweyo ukususwa kwelinye ukusiwa kwelintlu-mbini ixabiso.

4. Ukuba iiguqu zenziwe kuphefa ngelo xesha ze zisebenze emva kokuthatyathwa kwesigqibo liBhunga.

5. Ukba imithetho-siseko yoMgaqo-nkqubo weSibonelelo malunga neendawo ezithile ingasebenzi kwesi sigqibo.
**E120-06/2017**

**WATER TARIFFS FOR ST ELLEN, GREAT BRAK RIVER**

Reference: 5/13/1 (xAgenda P. 1270,1274)

Councillor A Dellemijn proposed, seconded by Councillor C Bayman that the recommendation be adopted.

The Director: Technical Services, Mr D Naidoo requested that the following amendments to the recommendation be made to read as follows:

“That St Ellen be transferred from tariff 3.9 to tariff 3.11 of the tariff list for water from 1 July 2017.”

Since all Councillors were in favour of the proposal of Councillor A Dellemijn and the request of the Director: Technical Services, Mr D Naidoo it was

Unanimously

RESOLVED

That St Ellen be transferred from tariff 3.9 to tariff 3.11 of the tariff list for water from 1 July 2017.

**KUGQITYWE**

Ukba iSt Ellen iguqulwe ukusuka kwixabiso eliyi 3.9 imiselwe kwixabiso eliyi 3.11 kuluhlu lwamaxabiso amanzi ukusuka kowe 1 Julayi 2017.

**E121-06/2017**

**“CID” RATES**

Reference: 5/13/1 (xAgenda P. 1274,1276)

Unanimously

RESOLVED

That the rates for the 2017/2018 financial year be changed as follows:
Minutes: Ordinary Council
Meeting: 2017-06-29

TARIFFS 2017/2018 INDEX

<table>
<thead>
<tr>
<th></th>
<th>2016/17</th>
<th>2017/18</th>
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<tr>
<td><strong>8.1.2 Special Rating Areas</strong></td>
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<td></td>
</tr>
<tr>
<td>Commercial Property</td>
<td>R 0.001194</td>
<td>R 0.001020</td>
</tr>
<tr>
<td>Residential Property</td>
<td>R 0.000295</td>
<td>R 0.000255</td>
</tr>
</tbody>
</table>

KUGQITYWE

Ukuba amaxabiso onyaka-mali ka-2017/2018 aguqulwe ngolu hlobo lulandelayo:

ISIKHOKELO SAMAXABISO KA 2017/2018

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<thead>
<tr>
<th></th>
<th>2016/17</th>
<th>2017/18</th>
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</thead>
<tbody>
<tr>
<td><strong>8.1.2 Iindawo ezimiselwe amaxabiso awodwa</strong></td>
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<td>Iindawo Zoshishino</td>
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<td>Iindawo Zokuhlala(Amakhaya)</td>
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The meeting adjourned at 14:25

____________________  __________________
DATE  SPEAKER

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