



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

**DATE / DATUM / UMHLA : 24 FEBRUARY/FEBRUARIE/
FEBHRUWARI 2016**

**VENUE / PLEK / INDAWO : BANQUETING HALL /
BANKETSAAL**

**CIVIC CENTRE / BURGERSENTRUM / IZIKO LOLUNTU
HERMANUS**

TIME / TYD / IXESHA : 10:00

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

**MINUTES OF AN ORDINARY MEETING OF THE MAYORAL
COMMITTEE HELD IN THE BANQUETING HALL, CIVIC CENTRE,
HERMANUS, ON 24 FEBRUARY 2016, AT 10:00**

PRESENT/ TEENWOORDIG

Councillors were present as per attached attendance register.

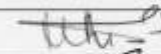

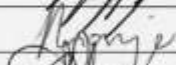

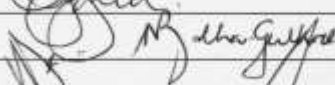


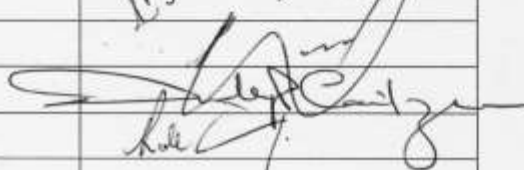
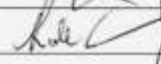


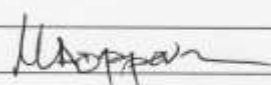


**OFFICIALS PRESENT/
AMPTENARE TEENWOORDIG**

Ms D Arrison, Acting Municipal Manager
Mr S Müller, Director : Infrastructure & Planning
Mr N Michaels, Director: Protection Services
Mr R Williams, Director: Community Services
Ms S Reyneke-Naudé, Director : Finance
Mr C le Roux, Deputy Director : Finance
Mr R Kuchar, Senior Manager : Town Planning &
Property Administration
Mr R Fraser, Chief : Traffic & Licensing
Mr F Myburgh, Senior Manager : Hermanus
Administration
Mr D van der Heever, Internal Audit Executive
Mr J Aplon, Finance Intern/Risk Management
Official
Mr B King, Senior Manager : Financial Services
ICT
Ms H van Tonder, Manager: Council Support
Services
Ms E Sales, PA: Director: Infrastructure & Planning
Ms S Swart: Administrative Officer : Council
Support Services
Ms D Laing, Relief Clerk : Auditorium
Interns

MINUTES/.....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING
24 FEBRUARY 2016

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

1. OPENING

The Acting Municipal Manager, Ms D Arrison, read the notice convening the meeting.

2. APPLICATIONS FOR LEAVE OF ABSENCE

None

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 25 November 2015 at 10:00.**

RESOLVED

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 25 November 2015 at 10:00, be confirmed.**

- 3.2 Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Monday, 18 January 2016 at 10:30.**

RESOLVED

that the Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Monday, 18 January 2016 at 10:30, be confirmed.**

- 3.3 Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Friday, 22 January 2016 at 10:00.**

RESOLVED

that the Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Friday, 22 January 2016 at 10:00, be confirmed.**

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

None

**5.
FIRST AUDIT REPORT OF THE PERFORMANCE AUDIT COMMITTEE (PAC) TO
THE OVERSTRAND MUNICIPAL COUNCIL PERIOD 2015/16**

3/2/3/12

DC Van Der Heever

(028) 313 5035

Internal Audit Services

07 January 2016

EXECUTIVE SUMMARY

The purpose of the report is to present Council with the First Audit Report from the Performance Audit Committee (PAC) as required by Regulation 4(a)(iii) of the Local Government: Municipal Planning and Performance Management Regulations, 2001.

RECOMMENDATION TO THE COUNCIL:

that the first Audit Report in respect of the 2015/16 financial year submitted by the Performance Audit Committee as part of their reporting obligations arising from the Local Government: Municipal Planning and Performance Management Regulations, 2001, be noted.

RESPONSIBLE OFFICIAL :

DC VAN DER HEEVER

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

6.
**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR JANUARY 2016**

8/2/2

C Le Roux

(028) 313 8080

Corporate Head Office

12 February 2016

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, as well as approvals in terms of 16(1)(b) and 17(1)(c) for January 2016.

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for January 2016, **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 January 2016, **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

7.
REPORT ON THE PROPOSED 3RD ADJUSTMENTS BUDGET FOR 2015/2016

5/1/17 – 2015/16

BA King

(028) 313 8154

Corporate Head Office

17 February 2016

EXECUTIVE SUMMARY

Report prepared in terms of section 28(2)(b), (c) & (f) of the Local Government: Municipal Finance Management Act, 2003 (MFMA) for the 3rd adjustments budget proposals emanating from the mid-year review and various adjustments identified on the operating and capital budgets, which must be approved by Council in terms of legislation.

RECOMMENDATION TO THE COUNCIL:

1. that, in terms of section 28(2)(b), (c) & (f) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the 3rd Adjustments Budget for 2015/2016 **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 project managers submit a revised SDBIP to the Municipal Manager by 2 March 2016.

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

29 FEBRUARY 2016

**8.
REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FOR 2015/16**

9/1/2/5

R Louw

(028) 313 8071

Corporate Head Office

11 February 2016

EXECUTIVE SUMMARY

The purpose of this report is to submit a revised Service Delivery and Budget Implementation Plan (SDBIP) for 2015/16 to Council for approval.

RECOMMENDATION TO THE COUNCIL:

1. that the revised SDBIP for 2015/16 **be approved**;
2. that the amendments to the Departmental and Top Layer SDBIP for 2015/16 **be approved**; and
3. that the revised SDBIP for 2015/16 **be made public**.

RESPONSIBLE OFFICIAL :

R LOUW

TARGET DATE FOR IMPLEMENTATION :

29 FEBRUARY 2016

PORTFOLIO COMMITTEE :
FINANCE & ECONOMIC DEVELOPMENT

Chairperson :

Cllr D Coetzee

Committee Members :

**Ald P May, Cllrs L Krige,
R de Coning, S Gxamesi**

PORTEFEULJEKOMITEE :
FINANSIES & EKONOMIESE ONTWIKKELING

Voorsitter :

Rdl D Coetzee

Komiteelede :

**Rdh P May, Rdle L Krige,
R de Coning, S Gxamesi**

1.
ECONOMIC DEVELOPMENT AND TOURISM SERVICE DELIVERY AND ACTIVITY REPORT

9/1/2/2

Solomzi Madikane

(028) 313 8066

Corporate Head Office

24 February 2016

EXECUTIVE SUMMARY

Local Economic Development forms a critical part of the municipality hence its recognition in Chapters 4, 5, 6 of the Local Government : Municipal Systems Act, No. 32 of 2000. The municipality has a dedicated chapter in its Integrated Development Plan outlining an approach to achieving its identified strategies. This report is therefore designed and outlined as the result of development strategies identified by the municipality through its Integrated Development Plan.

RESOLVED:

that the Economic Development and Tourism Service Delivery and Activity Report, **be noted.**

RESPONSIBLE OFFICIAL :

S MADIKANE

TARGET DATE FOR IMPLEMENTATION :

25 JANUARY 2016

2.
AMENDMENTS TO THE 2015/2016 SUPPLY CHAIN MANAGEMENT POLICY (SCM) AND DELEGATION OF POWERS AND DUTIES

5/13/B

C Le Roux
2016/02/01

(028) 313 8107

Hermanus Administration

EXECUTIVE SUMMARY

The purpose of this report is to present Council with amendments to the Supply Chain Management Policy and Delegation of Powers and Duties by inter alia, aligning it with the approved organisational structure and the guideline SCM standard of National Treasury.

RECOMMENDATION TO THE COUNCIL:

1. that the amended Supply Chain Management Policy for 2015/2016 **be approved**;
2. that the amended Supply Chain Management Policy for the 2015/2016 be applied retrospectively from 01 July 2015;
3. that the amended Delegation of Power and Duties for 2015/2016 **be approved**; and
4. that the amendments to the Delegation of Power and Duties for the 2015/2016 be applied retrospectively from 01 July 2015.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2015

PORTFOLIO COMMITTEE :

MANAGEMENT SERVICES

Chairperson :

Ald P Appelgrein

Committee Members :

**Cllrs M Andrews, J Kloppers-Lourens,
M Sapepa & C Mandindi**

PORTEFEULJEKOMITEE :

BESTUURSDIENSTE

Voorsitter :

Rdh P Appelgrein

Komiteelete :

**Rdle M Andrews, J Kloppers-Lourens,
M Sapepa & C Mandindi**

**NO REPORTS WERE RECEIVED BY THE SECRETARIAT
FOR INCLUSION IN THIS PORTFOLIO**

PORTFOLIO COMMITTEE :

PROTECTION SERVICES

Chairperson :

Ald P Appelgrein

Committee Members :

**Cllrs A Prins, J Kloppers-Lourens,
V Macotha & M Pie**

PORTEFEULJEKOMITEE :

BESKERMINGSDIENSTE

Voorsitter :

Rdh P Appelgrein

Komiteelede :

**Rdle A Prins, J Kloppers-Lourens,
V Macotha & M Pie**

1.
QUARTERLY MONITORING REPORT FOR THE PERIOD OCTOBER TO
DECEMBER 2015: DIRECTORATE: PROTECTION SERVICES

5/20

N J Michaels

(028) 313 8054

Corporate Head Office

21 January 2016

EXECUTIVE SUMMARY

To report on the functioning and activities of the Directorate: Protection Services for the period October to December 2015.

RESOLVED:

that the quarterly monitoring report of the functioning and activities of the Directorate: Protection Services for the period October to December, **be noted**.

RESPONSIBLE OFFICIAL :

N J MICHAELS

TARGET DATE:

1 MARCH 2016

**2.
TRAFFIC SPEED AND MEASURING, CAMERAS AND BACK OFFICE FOR FINE
COLLECTION IN THE OVERSTRAND SC 1579/2015**

8/2/2

NJ Michaels

(028) 313 8054

Corporate Head Office

26 January 2016

EXECUTIVE SUMMARY

The purpose of this report is to, as is required by section 33 of the Local Government Municipal Finance Management Act, No 56 of 2003 (MFMA), table in Council to:

- Authorise the Municipal Manager (or delegated official) to sign the proposed Contract on behalf of Overstrand Municipality,
- Approve the entire contract exactly as it is to be executed, for traffic speed measuring, cameras and back office for fine collection in the Overstrand.

Duly awarded by the Bid Adjudication Committee on 6 November 2015, the Municipality has made public its intention to enter into a long term support contract in regard to traffic speed measuring, cameras and back office for fine collection in the Overstrand.

RECOMMENDATION TO THE COUNCIL:

1. that the contract of SC 1579/2015 for the Traffic Speed Measuring, cameras and back office for fine collection in the Overstrand, be approved exactly as it is to be executed;
2. that the annual budget requirements for the contract period as set out in paragraph 7 be approved;
3. the Council take note that no recommendations were received in respect of the proposed long term contract SC 1579/2015 from the relevant provincial department or treasury; and
4. that the Council authorise the Municipal Manager to sign the contract on behalf of the Overstrand Municipality.

RESPONSIBLE OFFICIAL :

**N MICHAELS
R FRASER
M POTGIETER**

TARGET DATE FOR IMPLEMENTATION :

1 MARCH 2016

TARGET DATE TO INFORM APPLICANT :

24 FEBRUARY 2016

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr M Opperman

Committee Members :

**Ald M Ponoane, Cllrs L Beyers-Cronje,
N Nqinata & L Ndevu**

PORTEFEULJEKOMITEE :

GEMEENSKAPSDIENSTE

Voorsitter :

Rdl M Opperman

Komiteelede :

**Rdh M Ponoane, Rdle L Beyers-Cronje,
N Nqinata & L Ndevu**

1.
BENEFICIARIES : VARIOUS AFFORDABLE HOUSING PROJECTS: MOUNT PLEASANT

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

25 January 2016

EXECUTIVE SUMMARY

This report is to inform the Executive Mayor of additional lists of potential beneficiaries for the Mount Pleasant affordable housing project and for approval of the procedure to finalise subsidy applications for potential beneficiaries.

RESOLVED:

1. that the lists comprising of 285 potential beneficiaries for the various housing projects in Mount Pleasant **be noted**; and
2. that the following procedure for potential beneficiaries to finalise subsidy applications, **be approved**:
 - (a) that potential beneficiaries be given 30 days written notice to complete their subsidy application documentation;
 - (b) that potential beneficiaries that did not respond to the first notice (30 days) be given a final written notice of 7 days; and
 - (c) in the event of any applicants not responding within the mentioned period of 7 days, the available housing opportunities be given to identified additional beneficiaries (replacements).

RESPONSIBLE OFFICIAL :

FW FRANS

TARGET DATE FOR IMPLEMENTATION :

25 FEBRUARY 2016

**PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING**

Chairperson :

**Executive Deputy Mayor,
Cllr R Smith**

Committee Members :

**Cllrs K Brice, D Botha
M Dyani & JJ Januarie**

**PORTEFEULJEKOMITEE :
INFRASTRUKTUUR & BEPLANNING**

Voorsitter :

**Uitvoerende Onderburgemeester
Rdl R Smith**

Komiteelede :

**Rdle K Brice, D Botha
M Dyani & JJ Januarie**

1.

ERF 312, 78 CILLIERS STREET, FRANSKRAAL, OVERSTRAND MUNICIPAL AREA : APPLICATION FOR DEPARTURE AND RELAXATION OF RESTRICTIVE TITLE DEED CONDITION : THE TRAUTMAN FAMILY TRUST

312 GFK (2973)**SW van der Merwe****(028) 313 8900****Hermanus Administration****5 January 2016**

EXECUTIVE SUMMARY

To consider an application for departure and relaxation of a restrictive title deed condition received on 3 July 2015 from the owner of Erf 312, Franskraal, The Trautman Family Trust, in order to:

- relax the lateral building line from 2m to 0m to construct a garage and to accommodate an existing outbuilding; and
- relax the street building line from 4m to 0m to accommodate the existing carport.

The application also involves the relaxation of the 4,72m street- and 1,57m lateral building lines that applies in terms of the Title Deed to 0m.

RESOLVED:

1. that the application for relaxation of restrictive Title Deed conditions applicable to Erf 321, Franskraal in order to relax the 4,72m street building line and the 1,57m lateral building line contained in Title Deed T88420/1995, **be approved**;
2. that, in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Zoning Scheme Regulations on Erf 321, Franskraal, to relax the 4m street building line to 0m and the 2m lateral building line to 0m to accommodate a carport and outbuilding and to construct a garage, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the relaxation of the building lines as indicated on Plan No. 78/AK/15 sheets 1 to 4 of 4 dated 26 June 2015, as submitted with the application;
 - (b) that the conditions of Operational Services and the Services Report be complied with;

- (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (f) that the encroachment of the existing carport be rectified (demolished) as indicated on the Site Development Plan within sixty (60) days from the date of this decision.
3. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above approval.

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	9 MARCH 2016
TARGET DATE TO INFORM APPLICANT :	9 MARCH 2016
TARGET DATE TO INFORM OBJECTOR :	N/A

2.

**ERVEN 748 & 723, DE KELDERS, OVERSTRAND MUNICIPAL AREA :
PROPOSED REMOVAL OF RESTRICTIONS, SUBDIVISION AND
CONSOLIDATION : MESSRS PLANACTIVE TOWN- AND REGIONAL PLANNERS
ON BEHALF OF THE LUIS DE VILLIERS FAMILY TRUST**

Erf 748 & 723 GDK (2629)

SW van der Merwe

(028) 313 8900

Hermanus Administration

13 January 2016

EXECUTIVE SUMMARY

An application has been received on 14 July 2015 from Messrs PlanActive Town- and Regional Planners on behalf of the registered owner of Erf 723 & 748, De Kelders, The Luis de Villiers Family Trust, for a boundary re-alignment comprising the following applications, namely

- removal of restrictive title condition D. II (e) contained in Title Deed T70279/1995 pertaining to Erf 748, De Kelders;
- subdivision of Erf 748, De Kelders into Portion A (276m²) and a Remainder (603m²); and
- consolidation of Portion A (276m²) with Erf 723, De Kelders.

RESOLVED:

1. that, in terms of the provisions of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for subdivision of Erf 748, De Kelders into two portions, namely Portion A (\pm 276m²) and a Remainder (\pm 603m²), **be approved**;
2. that, in terms of the provision of Section 2.3 of the Overstrand Zoning Scheme Regulations the application for the consolidation of Portion A with Erf 723, De Kelders, **be approved**;
3. that the application for removal of restrictive title condition D. II (e) as per Title Deed T70279/1995 applicable to Erf 748, De Kelders in terms of the provisions of the Removal of Restrictions Act, 1967 (Act 84 of 1967) **be recommended for approval** to the Provincial Government Western Cape;
4. that the approvals in paragraphs 1. and 2. above be subject to the following conditions:
 - (a) that the restrictive Title Deed conditions be successfully removed by the Provincial Government Western Cape;

- (b) that the conditions imposed in the Services Report, the conditions of the Operational Services Department and the conditions of Telkom, be complied with;
 - (c) that approved SG Diagrams be submitted to the Municipality for record purposes;
 - (d) that the approval does not absolve the applicant/owner from compliance with any other relevant legislation; and
 - (e) that the development parameters as prescribed in the Overstrand Zoning Scheme Regulations, be complied with.
5. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	9 MARCH 2016
TARGET DATE TO INFORM APPLICANT :	9 MARCH 2016
TARGET DATE TO INFORM OBJECTORS:	N/A

3.

**ERF 1889, 5 PASS ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA :
PROPOSED CONSENT USE : MESSRS ATLAS TOWN PLANNING ON BEHALF
OF MANDWANA TRADING 2 (PTY) LTD**

1889 KPRB (2799)

H van der Stoep

19 November 2015

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 30 January 2015 from Messrs Atlas Town Planning on behalf of Mandwana Trading (Pty) Ltd for a consent use on Erf 1889, Pringle Bay in order to operate a bottle store on the property concerned.

RESOLVED:

1. that, in terms of Section 2.2 of the Section 9 Zoning Scheme Regulations of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a consent use on Erf 1889, Pringle Bay in order to operate a bottle store on the property concerned, **not be approved**, due to the following reasons:
 - (a) the proposed land use is located on the fringe of the CBD and has a direct influence on the adjacent residential neighbourhood;
 - (b) the present problems relating to litter and noise pollution will increase;
 - (c) unruly behaviour of people purchasing liquor and consume outside of the shop; and
 - (d) the application is a consent use and is to the discretion of the Municipality. Should it be found that the proposed land use may influence the character of the residential neighbourhood, the application cannot be viewed in a positive light, especially in the light that it can be operated on a Sunday in terms of the Municipal By-Law.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

RESPONSIBLE OFFICIAL :

H VAN DER STOEP

TARGET DATE FOR IMPLEMENTATION :

9 MARCH 2016

TARGET DATE TO INFORM APPLICANT :

9 MARCH 2016

TARGET DATE TO INFORM OBJECTOR :

9 MARCH 2016

4.

ERVEN 10527, 10528, 10529, 10530 & 10532, MARINERS VILLAGE, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE, AMENDMENT OF CONDITIONS OF APPROVAL, AMENDMENT OF THE SITE DEVELOPMENT PLAN, AMENDMENT OF THE SPATIAL DEVELOPMENT FRAMEWORK, CONSENT USE, AMENDMENT OF THE OVERSTRAND GROWTH MANAGEMENT STRATEGY : URBAN DYNAMICS ON BEHALF OF HERMANUS RETIREMENT VILLAGE (PTY) LTD

10527, 10528, 10529, 10530 & 10532 HWC (2954)

H van der Stoep

(028) 313 8900

Hermanus Administration

14 January 2015

EXECUTIVE SUMMARY

An application has been received on 24 June 2015 from Messrs. Urban Dynamics on behalf of Hermanus Retirement Village (Pty) Ltd on Erven 10527, 10528, 10529, 10530 and 10532, Hermanus for the following:

- ❖ Amendment of the Approval Conditions to allow 273 residential units on the above-mentioned 5 General Residential erven, in lieu of 180 units;
- ❖ Amendment of the Approval Conditions to allow a maximum height for a storey from finished floor level to finished floor of 3,25m in lieu of 2,6m on the above-mentioned 5 General Residential erven;
- ❖ Amendment of the Approval Conditions relating to Erf 10528, Hermanus, to allow approval of a new set of Site Development Plans for the Frail Care on Erf 10528, Hermanus in lieu of the previously approved plans 1A, 1B, 1C and 1E (2013);
- ❖ Amendment of the Approved Site Development Plan for Erf 10528, Hermanus;
- ❖ Approval of the Site Development Plans for Erven 10527, 10529, 10530 and 10532, Hermanus;
- ❖ Departure from the parking requirements specified in Section 17.1 of the Overstrand Zoning Scheme (2013) to provide a parking ratio of 1 bay per bedroom, in lieu of 1,5 and 2 bays respectively for all the proposed 1 and 2 bedroom units and town houses proposed on Erven 10527, 10529, 10530 & 10532, Hermanus;
- ❖ Departure to provide a 0m lateral building line on Erven 10529 and 10530, Hermanus in lieu of 4,5m;
- ❖ Consent Use to establish a retirement village development on Erven 10527, 10529, 10530 & 10532, Hermanus;
- ❖ Amendment of the Overstrand Growth Management Strategy (2010) to provide a gross residential density of 96 units per hectare in lieu of the designated density of *status quo*, and
- ❖ Amendment of the Overstrand Spatial Development Framework (2006) to change the incorrect designation of the application area from industrial to residential/urban development.

**THE EXECUTIVE MAYOR, ALD N BOTHA-GUTHRIE, RECUSED HERSELF FROM
THE MEETING AT 10:21**

**THE DEPUTY MAYOR, CLLR R SMITH, TOOK THE CHAIR TO ACT IN HER
STEAD DURING THE DISCUSSION/CONSIDERATION OF THIS ITEM**

RESOLVED:

1. that, subject to Council's approval for the amendment of the Municipality's Overstrand Municipal Wide Spatial Development Framework, and the Municipality's Overstrand Growth Management Strategy (2010), the application on Erven 10527, 10528, 10529, 10530 and 10532, Hermanus for the amendment of the Approval Conditions to allow 273 residential units on the above-mentioned 5 General Residential erven, *in lieu* of 180 units subject to compliance with parking requirements, **be approved**, in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
2. that, subject to Council's approval for the amendment of the Municipality's Overstrand Municipal Wide Spatial Development Framework, and the Municipality's Overstrand Growth Management Strategy (2010), the application on Erven 10527, 10528, 10529, 10530 and 10532, Hermanus for the amendment of the Approval Conditions to allow a maximum height for a storey from finished floor level to finished floor of 3,25m *in lieu* of 2,6m on the above-mentioned 5 General Residential erven, **be approved**, in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
3. that, subject to Council's approval for the amendment of the Municipality's Overstrand Municipal Wide Spatial Development Framework, and the Municipality's Overstrand Growth Management Strategy (2010), the application for the amendment of the Approval Conditions relating to Erf 10528, Hermanus to allow approval of a new set of Site Development Plans for the Frail Care on Erf 10528, Hermanus *in lieu* of the previously approved plans 1A, 1B, 1C and 1E (2013), **be approved**, in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) subject to a Site Development Plan to be submitted;
4. that, subject to Council's approval for the amendment of the Municipality's Overstrand Municipal Wide Spatial Development Framework, and the Municipality's Overstrand Growth Management Strategy (2010) the application for the amendment of the Approved Site Development Plan for Erf 10528, Hermanus, **be approved**, in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) subject to a new Site Development Plan being submitted for approval to the satisfaction of the Director : Infrastructure and Planning;

5. that, subject to Council's approval for the amendment of the Municipality's Overstrand Municipal Wide Spatial Development Framework, and the Municipality's Overstrand Growth Management Strategy (2010) the application for a departure from the parking requirements specified in Section 17.1 of the Overstrand Zoning Scheme (2013) to provide a parking ratio of 6 bays per 100m² for a consulting room, **be approved**, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
6. that, subject to Council's approval for the amendment of the Municipality's Overstrand Municipal Wide Spatial Development Framework, and the Municipality's Overstrand Growth Management Strategy (2010) the application received for a departure to provide a 0m lateral building line on Erven 10529 and 10530, Hermanus *in lieu* of 4,5m, **be approved**, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
7. that, subject to Council's approval for the amendment of the Municipality's Overstrand Municipal Wide Spatial Development Framework, and the Municipality's Overstrand Growth Management Strategy (2010) the application for a Consent Use to establish a retirement village development on Erven 10527, 10529, 10530 & 10532, Hermanus, **be approved**, in terms of Section 2.2 of the Overstrand Zoning Scheme (2013);
8. that the approval of 1 – 7 above be subject to the following conditions:
 - (a) that amended Site Development Plans be submitted for approval;
 - (b) that no other structures be erected within the building lines;
 - (c) that the maximum height be restricted to 13m;
 - (d) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control– and the Fire Department be complied with at that stage;
 - (e) that all other development parameters, as prescribed in the relevant Zoning Scheme, be complied with;
 - (f) that the approval does not absolve the applicant from compliance with any other relevant legislation and/or Title Deed conditions;
 - (g) that compliance with Fire Safety Regulations is pre requisite-SANS 10400T:2011.
 - (h) that parking provision be in accordance with the Overstrand Zoning Scheme;

- (i) that all conditions imposed in the Services Report be complied with; and
 - (j) that should Condition 1 not be adhered to, the amount of units be reduced to comply with parking requirements.
9. that, in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for the Approval of the Site Development Plans for Erven 10527, 10529, 10530 and 10532, Hermanus, **not be approved**;
 10. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the parking requirements specified in Section 17.1 of the Overstrand Zoning Scheme (2013) to provide a parking ratio of 1 bay per bedroom, *in lieu* of 1,5 and 2 bays respectively for all the proposed 1 and 2 bedroom units and town houses proposed on Erven 10527, 10529, 10530 & 10532, Hermanus, **not be approved**, due to the non-compliance with parking requirements;
 11. that Site Development Plans be submitted indicating compliance with the parking requirements for approval as per delegating authority;
 12. that should full parking requirements not be met on-site, due process be followed to pay Council for the shortfall, and
 13. that the applicant be notified of their right of appeal in terms of the provisions of the Local Government Municipal Systems Act, 2000 (Section 62) with regard to the above decision.

RECOMMENDATION TO THE COUNCIL:

1. that, in terms of the Local Government : Municipal Systems Act (Act 32 of 2000) the application for amendment of the Overstrand Municipal Wide Spatial Development Framework, 2006 to change the incorrect designation of the application area from industrial to residential/urban development, **be approved**; and
2. that, in terms of the Local Government : Municipal Systems Act (Act 32 of 2000) the application for amendment of the Overstrand Growth Management Strategy (2010) to provide a gross residential density of 96 units per hectare *in lieu* of the designated density of *status quo*, **be approved**.

RESPONSIBLE OFFICIAL :	H VAN DER STOEP
TARGET DATE FOR IMPLEMENTATION :	9 MARCH 2016
TARGET DATE TO INFORM APPLICANT :	9 MARCH 2016
TARGET DATE TO INFORM OBJECTOR :	N/A

THE EXECUTIVE MAYOR, ALD N BOTHA-GUTHRIE REJOINED THE MEETING AT 10:29 AND THE DEPUTY MAYOR, CLLR R SMITH, LEFT THE CHAIR

5.

ERF 2093, 40 ROOS STREET, GANSBAAI (BLOMPARK) : PROPOSED DEPARTURE (LIQUOR STORE) : MESSRS BLUEPRINT SA ON BEHALF OF GC AND GSP VALENTINE

2093 GBP (3016)

SW van der Merwe

(028) 313 8900

Hermanus Administration

5 January 2016

EXECUTIVE SUMMARY

An application has been received on 14 August 2015 from Messrs Blueprint SA on behalf of the owners of Erf 2093, Gansbaai (Blompark), GC and GSP Valentine, for a departure from the Scheme Regulations in order to legalise an existing liquor store on the property.

RESOLVED:

1. that the application for departure to legalise the existing liquor shop in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), **not be approved** due to the following reasons:
 - (a) the land use for a liquor shop is not in line with the Scheme Regulations and the Overstrand Municipal Growth Management Strategy;
 - (b) the land use is not conducive to the residential character of Blompark in terms of National Building Regulations, Fire Regulations, noise pollution, trading hours and commercial signage;
 - (c) the hours of trading for business on residential erven in terms of the Zoning Scheme Regulations does not allow the trading hours proposed by the applicant in order to accommodate residents, especially school going children of the area; and
 - (d) due to the proposed occupancy being a high fire risk within a residential property and direct access to the dwelling.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

RESPONSIBLE OFFICIAL :

SW VAN DER MERWE

TARGET DATE FOR IMPLEMENTATION :

9 MARCH 2016

TARGET DATE TO INFORM APPLICANT :

9 MARCH 2016

TARGET DATE TO INFORM OBJECTORS :

N/A

6.

**ERF 309, 4 MARINE ROAD, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA :
PROPOSED RELAXATION OF RESTRICTIVE TITLE DEED CONDITION : HHJ &
LMC SCHONKEN**

321 GPB (3124)**SW van der Merwe****(028) 313 8900****Hermanus Administration****11 January 2016**

EXECUTIVE SUMMARY

To consider an application for relaxation of restrictive title condition received on 9 November 2015 from Mr HHJ & LMC Schonken on Erf 309, Pearly Beach in order to construct a carport on the lateral property boundary.

RESOLVED:

1. that the application for relaxation of a restrictive Title Deed condition applicable to Erf 309, Pearly Beach in order to relax the 1,57m lateral building line to 0m contained in Title Deed T27675/89, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the relaxation of the building line as indicated on Plan No. 05/15 sheets 1 to 5 of 5 dated 12 June 2015, as submitted with the application;
 - (b) that the conditions of Operational Services and the Services Report be complied with;
 - (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	9 MARCH 2016
TARGET DATE TO INFORM APPLICANT :	9 MARCH 2016
TARGET DATE TO INFORM OBJECTOR :	N/A

7.

ERF 942, 71 DREYER STREET, STANFORD, OVERSTRAND MUNICIPAL AREA : PROPOSED REZONING, DEPARTURE AND AMENDMENT OF THE OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK : MESSRS INTERACTIVE TOWN- & REGIONAL PLANNERS ON BEHALF OF MA & CK MESELE

Erf 942 SSN (2803)

SW van der Merwe

(028) 313 8900

Hermanus Administration

8 January 2016

EXECUTIVE SUMMARY

To consider an application received on 20 January 2015 from Messrs Interactive Town- and Regional Planners on behalf of the owners of Erf 942 Stanford, MA & CK Mesele, for:

- amendment of the Overstrand Spatial Development Framework (SDF) (2006) to change the reservation of the subject property from residential purposes to commercial purposes;
- rezoning from Residential Zone 1: Single Residential (SR1) to Business Zone 3: Local Business (B3); and
- departure in order to relax the southern lateral building line abutting Erf 1221 from 3m to 0m.

RESOLVED:

1. that the application for rezoning of Erf 942, Stanford from Residential Zone 1: Single Residential (SR1) to Business Zone 3: Local Business (B3) in terms of the provisions of Section 16 of the Land Use Planning Ordinance, **be approved**, subject to Council approving the amendment of the Overstrand Spatial Development Framework (2006);
2. that the application for departure, subject to resolution 1. above, of the southern lateral building line applicable to Erf 942, Stanford from 3m to 0m in terms of the provisions of Section 15 of the Land Use Planning Ordinance, **be approved**;
3. that the above approvals be subject to the following conditions:
 - (a) the departure of the southern lateral building line is only applicable to the ground floor of the building;
 - (b) that the development parameters pertaining to Business Zone 3: Local Business (B3), be applicable;

- (c) that a Site Development Plan must be submitted to the Senior Manager: Town- and Spatial Planning for approval prior to any development on the property;
 - (d) that the premises must comply with Fire Safety SANS 10400T:2011-National Fire Protection Regulations;
 - (e) that all the conditions in the Services Report as well as the conditions of Operational Services, be complied with;
 - (f) that the conditions imposed by the Overberg District Municipality Health, be complied with;
 - (g) that this approval does not absolve the applicant from compliance with any other applicable legislation; and
 - (h) that commercial rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget.
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

RECOMMENDATION TO COUNCIL:

that the application for the amendment of the Overstrand Spatial Development Framework (2006) to change the reservation of Erf 942, Stanford from residential purposes to commercial purposes, **be approved.**

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	9 MARCH 2016
TARGET DATE TO INFORM APPLICANT :	9 MARCH 2016
TARGET DATE TO INFORM OBJECTOR :	N/A

8.
**TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY : NOVEMBER 2015 TO
JANUARY 2016**

15/3/11

R van Antwerp
18 January 2016

(028) 313 8039

Hermanus Administration

EXECUTIVE SUMMARY

To report on applications disposed of by the Senior Manager : Town- & Spatial Planning during the period from 17 October 2015 – 17 January 2016.

RESOLVED:

that it **be noted** that the item **be withdrawn** from the agenda of the Portfolio Committee Infrastructure and Planning which was held on 16 February 2016 on the request of the administration and that a revised report be submitted during the March 2016 cycle.

RESPONSIBLE OFFICIAL :	R VAN ANTWERP
TARGET DATE FOR IMPLEMENTATION :	9 MARCH 2016
TARGET DATE TO INFORM APPLICANT :	N/A
TARGET DATE TO INFORM OBJECTOR :	N/A

9.

HERMANUS, A PORTION OF ERF 2353: DEVIATION FROM PARAGRAPHS 4, 24, 36, 40 AND 41 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 TO WAIVE THE APPLICATION FEE, THE COSTS PERTAINING TO THE APPLICATION PROCESS, THE RENTAL PAYABLE AND GENERAL CONDITIONS

7/2/3/1

M Erasmus & A Kotze

(028) 316 3724

Hermanus Administration

18 January 2016

EXECUTIVE SUMMARY

To obtain approval for the deviation from conditions contained in paragraphs 4, 24 and 36 of the Administration of Immovable Property Policy of 2015 in order to:

- (a) waive the payment of the required application fee payable by the applicant upon submission of an application to lease (paragraph 4);
- (b) waive the rental payable in lieu of services that will be rendered and the investment in infrastructure on the premises (paragraph 24);
- (c) waive the Municipality's claim for payment of all or any portion of cost pertaining to the application, e.g. advertisements, etc (paragraph 36);
- (d) waive the condition that any rental charged will escalate as it is envisaged that no rental be charged (paragraph 40); and
- (e) waive the Municipality's claim for the payment of rates and taxes and services charges (paragraph 41).

RECOMMENDATION TO THE COUNCIL:

that the deviation from paragraphs 4, 24, 36, 40 and 41 of the Administration of Immovable Property Policy of 2015 **be approved** in light of the envisaged investment in infrastructure and goods by Hermanus Public Protection on Municipal property, the community interest in this regard and the nature of the services to be rendered to the community.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

9 APRIL 2016

TARGET DATE TO INFORM APPLICANT :

9 MARCH 2016

**10.
IN PRINCIPLE APPROVAL FOR THE ALIENATION OF UNREGISTERED
ERF 12199 (A PORTION OF ERF 2366), HERMANUS**

12199 HIND

R Kuchar

(028) 313 8900

Hermanus Administration

27 January 2016

EXECUTIVE SUMMARY

To obtain approval in principle for the alienation of unregistered Erf 12199 (a portion of Erf 2366), Hermanus approximately 2,489 ha in extent, by means of a competitive process.

RECOMMENDATION TO THE COUNCIL:

1. that the alienation of Unregistered Erf 12199 (a portion of Erf 2366), Hermanus, approximately 2,489 ha, by means of a competitive process, **be approved in principle**;
2. that the costs pertaining to the transaction, e.g. transfer costs, water- and sewer connections, bulk services contribution, advertisements, etc., excluding the valuation, surveying and rezoning costs, be paid by the purchaser;
3. that it is confirmed that Council has taken cognisance of the fact that the municipal property herewith alienated is not required for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003);
4. that the alienation of the property be subject to obtaining the LUPO approval and the Record of Decision; and
5. that a service servitude must be registered for the 11kV cables running across the property according to the Electrical Department.

RESPONSIBLE OFFICIAL :

H VAN DER STOEP

TARGET DATE FOR IMPLEMENTATION :

9 MARCH 2016

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

11.

HERMANUS, A PORTION OF ERF 243 (MOUNT PLEASANT): DEVIATION FROM PARAGRAPH 5.2.1.1 OF THE MUNICIPAL RESIDENCE POLICY AND PARAGRAPHS 20.1(b) AND 24 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 TO ENTER INTO A LEASE AGREEMENT WITH A FORMER EMPLOYEE OF THE MUNICIPALITY

7/2/3/1

M Erasmus

(028) 316 3724

Hermanus Administration

12 January 2016

EXECUTIVE SUMMARY

To obtain approval for the deviation from paragraph 5.2.1.1 of the Municipal Residence Policy and paragraphs 20.1(b) and 24 of the Administration of Immovable Property Policy of 2015 to enter into a lease agreement with Karel Botha, a former employee of the Municipality.

RECOMMENDATION TO THE COUNCIL:

1. that the deviation from paragraph 5.2.1.1 of the Municipal Residence Policy, in order to allow for the lease of the Municipal Residence leased to Mr. Botha, who is not an employee of the Overstrand Municipality, **be approved;**
2. that the deviation from paragraph 20.1(b) of the Administration of Immovable Property Policy of 2015 in order for a long term lease agreement to be entered into without following a public participation process, **be approved;**
3. that the deviation from paragraph 24 of the Administration of Immovable Property Policy of 2015 in order to lease the Municipal Residence Mount Pleasant Hostel Room number 5 at the amount currently being paid and not having to determine the fair market value by appointing a professional valuer **be approved;**
4. that the lease of the Mount Pleasant Hostel Room number 5 to Karel Botha at a rental amount of R461.25 (FOUR HUNDRED AND SIXTY ONE RAND AND TWENTY FIVE CENTS) per month **be approved;**
5. that the lease amount mentioned in 4 above escalates on the 1st of July of every year, by a percentage fixed in accordance with the prevailing consumer price index (all items) in accordance with paragraph 40 of the Administration of Immovable Property Policy of 2015; and

6. that the following condition be included in the lease agreement: “The lease agreement shall be valid and continue until the LESSEE is no longer an employee of Veolia in his current position. Should Veolia’s agreement with the Municipality end and the LESSEE be transferred back to the Overstrand Municipality as an employee a new agreement will be entered into between the LESSEE and the LESSOR in terms of the Municipal Residence Policy.”

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

1 APRIL 2016

TARGET DATE TO INFORM APPLICANT :

7 MARCH 2016

12.

HERMANUS, TRANSFER OF UNREGISTERED ERF 11472 (A PORTION OF ERF 243), HERMANUS ±4196M² IN EXTENT, FOR GENERAL RESIDENTIAL III PURPOSES (MOUNT PLEASANT)

7/2/3/2

D Taljaard
30 December 2015

(028) 316 - 3724

Hermanus Administration

EXECUTIVE SUMMARY

To obtain final approval for the transfer of unregistered Erf 11472 (a portion of Erf 243), Hermanus (Mount Pleasant), ±4196m² in extent, for general residential zone III purposes, to Adama Foundation Trust.

RECOMMENDATION TO THE COUNCIL:

1. that the transfer of unregistered Erf 11472 (a portion of Erf 243), Hermanus (Mount Pleasant), ±4196m² in extent, for general residential III purposes to Adama Foundation Trust for the amount of R300,000.00 (THREE HUNDRED THOUSAND RAND ALONE) (Vat excluded), **be approved**;
2. that the Municipal Manager be authorised to sign all documents relating to the transfer of unregistered Erf 11472 (a portion of Erf 243), Hermanus (Mount Pleasant) to Adama Foundation Trust;
3. that cognisance be taken of the fact that the subject portion of Municipal property is **not required** for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act, No 56 of 2003; and
4. that Adama Foundation Trust be responsible for all the costs pertaining to the advertisement of the transfer and the registration of the property in the Deeds Office.

RESPONSIBLE OFFICIAL :

D TALJAARD

TARGET DATE FOR IMPLEMENTATION :

7 MARCH 2016

TARGET DATE TO INFORM APPLICANT :

N/A

13.

**WATER AND WASTE WATER TREATMENT OPERATIONS MANAGEMENT
CONTRACT: SC1508/2014 – AMENDMENT TO SALARY CONTRIBUTION**

8/2/2

**Hanré Blignaut
22 January 2016****(028) 313 5047****Corporate Head Office**

EXECUTIVE SUMMARY

On 29 July 2015 Council approved the contract for the management of the operation and maintenance of the water and waste water treatment works in the jurisdiction of Overstrand Municipality (the Contract) and authorised the Municipal Manager to sign the contract with Veolia Water Solutions & Technologies (Pty) Ltd (the Operator).

On 30 September 2015 Council approved specific amendments to the contract, which were mainly required to protect Council from excessive claims in the unlikely case of the review application submitted to the High Court by the second preferred bidder at the time being successful.

The purpose of this report is to obtain Council's approval for the amendment of the Salary Contribution portion of the contract, due to: (1) a dispute between specific staff members and the municipality being resolved after approval of the contract, but before the effective date (implementation date), and (2) adjustments to costs pertaining to acting employees as included in the original schedule. Council also to take cognisance of the amendment to the Salary Contribution in accordance with the contract due to the SALGBC salary increase of 7%, which was finalized only after Council approval of the contract.

RECOMMENDATION TO THE COUNCIL:

1. that the proposed amendments to the Salary Contribution of the contract for the management of the operation and maintenance of the water and waste water treatment works in the jurisdiction of Overstrand Municipality, be approved, to be retrospective effective from 1 November 2015; and
2. that the Municipal Manager be delegated to approve future administrative adjustments to the Salary Contribution as and when required in terms of the approved contract.

RESPONSIBLE OFFICIAL :

**S MULLER
H BLIGNAUT**

TARGET DATE FOR IMPLEMENTATION :

**1 NOVEMBER 2015
(BACKDATED)**

TARGET DATE TO INFORM APPLICANT:

1 MARCH 2016

14.
HERMANUS, TRANSFER OF ERF 1596 (A PORTION OF ERF 1413), ZWELIHLE, ±264M² IN EXTENT, FOR RESIDENTIAL PURPOSES

7/2/3/2

M Erasmus

(028) 316 - 3724

Hermanus Administration

13 January 2016

EXECUTIVE SUMMARY

To obtain approval that a portion of the purchase price, as tendered, be utilised for repairs to the vandalised property.

And to obtain final approval for the transfer of Erf 1596 (a portion of Erf 1413), Zwelihle, ±264m² in extent, for residential purposes, to Fezeka Lumka-Mcothama and Ayanda Mcothama.

RECOMMENDATION TO THE COUNCIL:

1. that the transfer of Erf 1596 (a portion of Erf 1413), Zwelihle, ±264m² in extent, for residential purposes to Fezeka Lumka-Mcothama and Ayanda Mcothama for the amount of R65,000.00 (SIXTY FIVE THOUSAND RAND ALONE) (VAT excluded), being R32,719.30 (THIRTY TWO THOUSAND SEVEN HUNDRED AND NINETEEN RAND AND THIRTY CENTS) (VAT excluded) in cash and R32,280.70 (THIRTY TWO THOUSAND RAND TWO HUNDRED AND EIGHTY RAND AND SEVENTY CENTS) (VAT excluded) in kind for repairs, **be approved**;
2. that the Municipal Manager be authorised to sign all documents relating to the transfer of Erf 1596 (a portion of Erf 1413), Zwelihle;
3. that cognisance be taken of the fact that the subject portion of Municipal property is **not required** for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immoveable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act, No 56 of 2003; and
4. that Fezeka Lumka-Mcothama and Ayanda Mcothama be responsible for all the costs pertaining to the advertisement of the transfer and the registration of the property in the Deeds Office.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

4 APRIL 2016

TARGET DATE TO INFORM APPLICANT :

4 MARCH 2016

The meeting adjourned at 10:40

DATE

N BOTHA-GUTHRIE – EXECUTIVE MAYOR