



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

**DATE / DATUM / UMHLA : 26 FEBRUARY / FEBRUARIE /
FEBHRUWARI 2020**

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

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

TIME / TYD / IXESHA : 14:00

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

**MINUTES OF AN ORDINARY MEETING OF THE MAYORAL
COMMITTEE HELD IN THE BANQUETING HALL, CIVIC CENTRE,
HERMANUS, ON 26 FEBRUARY 2020, AT 14:00**

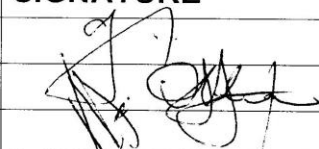

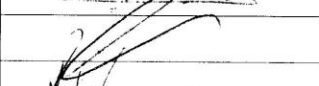


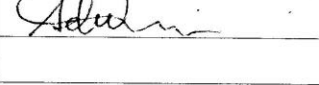
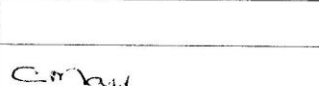

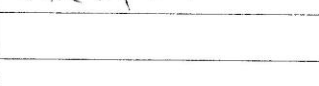
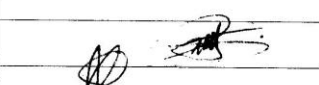
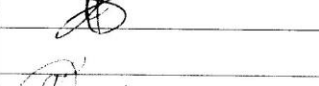
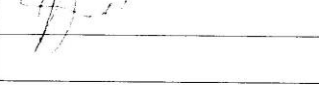




PRESENT: Councillors were present as per attached attendance register.

OFFICIALS PRESENT: Mr C Groenewald, Municipal Manager
Ms D Arrison, Director : Management Services
Ms S Reyneke-Naudé, Director : Finance
Mr R Williams, Director : Community Services
Mr N Michaels, Director : Protection Services
Mr S Madikane, Director : Economic Development & Tourism
Mr S Müller, Director : Infrastructure & Planning
Mr C le Roux, Deputy Director : Finance & SCM
Mr F Myburgh, Senior Manager : Gansbaai Administration
Ms R Louw, Senior Manager : Strategic Services
Mr A Wyngaard, Senior Manager : Hermanus Administration
Ms A le Roux, Manager : Property Administration
Ms H van Tonder, Manager : Council Support Services
Mr B King, Senior Manager : Financial Services
Mr R Fraser, Chief : Traffic/Licences
Ms N Zweni, Manager : Communication
Ms R Steenekamp, Media & Social Media Liaison Officer
ICT
Ms S Yawa, Acting Mayoral Committee Secretary
Ms G Erasmus, Clerk : Auditorium
Ms S Swart: Administrative Officer : Council Support Services

MINUTES/.....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING
26 FEBRUARY 2020

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F	
BOTHA, D	
BRICE, KD	
COETSEE, A	
COETZEE, DP	
COHEN, G	
DE CONING, CA	
GILLION, E	
KALOLO, SV	
KOMANI, AS	
KRIGE, F	
NQINATA, NNT	
MACOTHA, VC	
MAY, C	
MOLEFE, B	
MORGAN, H	
MSWELI, X	
NTSABO, L	
NUTT, R	
ORBAN, J	
PUNGUPUNGU, V	
RESANDT, C	
SAPEPA, NM	
TAFU-NWONKWO, CC	
TEBELE, S	

1. OPENING

The Municipal Manager, Mr C Groenewald, read the notice convening the meeting.

2. APPLICATIONS FOR LEAVE OF ABSENCE

None

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 27 November 2019 at 10:00**

RESOLVED:

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 27 November 2019 at 10:00, be confirmed.**

- 3.2 Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Wednesday, 22 January 2020 at 10:00**

RESOLVED:

that the Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Wednesday, 22 January 2020 at 10:00, be confirmed.**

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

None

5.
**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR JANUARY 2020**

8/2/2

C Le Roux

Deputy Director: Finance & SCM

05 February 2020

(028) 313 8107

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 Paragraph 16(1)(b) and 17(1)(c) for January 2020.

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for January 2020, **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 2020, **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

6.

CONTRACT NO. SC 1890/2018: BULK WATER SERVICES OPERATION AND MAINTENANCE: REPORT ON SOCIAL RESPONSIBILITY CONTRIBUTIONS BY VEOLIA WATER SOLUTIONS & TECHNOLOGIES SOUTH AFRICA (PTY) LTD

8/3/1/SC1890/2018**H Blignaut****Deputy Director: Engineering Planning****10 February 2020****(028) 313 5047**

EXECUTIVE SUMMARY

At the November 2019 Council meeting the Council requested that a report be submitted to inform Council specifically about the social responsibility contributions made to date by the successful bidder on Contract SC 1890/2018, i.e. Veolia Water Solutions & Technologies South Africa (Pty) Ltd. (Veolia). The purpose of this report is therefore to provide the required information for cognisance by Council.

RECOMMENDATION TO THE COUNCIL:

that the social responsibility contributions made to date in the Overstrand area by Veolia Water Solutions and Technologies South Africa (Pty) Ltd in execution of Contract SC 1890/2018, Bulk Water Services Operation and Maintenance, for Overstrand Municipality, **be noted**.

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

7.
REPORT ON THE PROPOSED 2ND ADJUSTMENTS BUDGET FOR 2019/2020

5/1/1/21 – 2019/2020

BA King

Senior Manager: Financial Services

20 February 2020

(028) 313 8154

EXECUTIVE SUMMARY

Report prepared in terms of section 28(2)(b) to (g) of the Local Government: Municipal Finance Management Act, 2003 (MFMA) for the 2nd 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) to (g) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the 2nd Adjustments Budget for 2019/2020 **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

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

28 FEBRUARY 2020

**8.
REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FOR 2019/20**

9/1/2/5

RG Louw

Senior Manager: Strategic Services

10 February 2020

(028) 313 8071

EXECUTIVE SUMMARY

The purpose of this report is to submit a revised Service Delivery and Budget Implementation Plan (SDBIP) for 2019/20 to Council for approval.

RECOMMENDATION TO THE COUNCIL:

1. that the revised SDBIP for 2019/20 **be approved**;
2. that the amendments to the Top Layer SDBIP for 2019/20 **be approved**; and
3. that the revised SDBIP for 2019/20 **be made public**.

RESPONSIBLE OFFICIAL :

RG LOUW

TARGET DATE FOR IMPLEMENTATION :

4 MARCH 2020

PORTFOLIO COMMITTEE :

FINANCE

Chairperson :

Cllr R de Coning

Committee Members :

**Cllrs L Ntsabo, R Nutt,
S Tebele, X Msweli and B Molefe**

PORTEFEULJEKOMITEE :

FINANSIES

Voorsitter :

Rdl R de Coning

Komiteelede :

**Rdle L Ntsabo, R Nutt,
S Tebele, X Msweli and B Molefe**

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

**PORTFOLIO COMMITTEE :
MANAGEMENT SERVICES**

Chairperson :

Cllr A Komani

Committee Members :

**Ald M Sapepa, Cllrs R Nutt,
H Morgan & N Nqinata**

**PORTEFEULJEKOMITEE :
BESTUURSDIENSTE**

Voorsitter :

Rdl A Komani

Komiteelede :

**Rdh M Sapepa, Rdle R Nutt,
H Morgan & N Nqinata**

1.
AMENDMENTS AND ADDITIONS TO THE DELEGATION OF POWERS AND DUTIES

2/5/3

D Arrison

20 November 2019

Director: Management Services

(028) 3138004

EXECUTIVE SUMMARY

The purpose of the report is to obtain approval for amendments and additions to the Delegation of Powers and Duties.

RECOMMENDATION TO THE COUNCIL:

that the amendments and additions to the Delegation of Powers and Duties, **be approved.**

RESPONSIBLE OFFICIAL :

ALL DIRECTORS

TARGET DATE FOR IMPLEMENTATION :

1 MARCH 2020

PORTFOLIO COMMITTEE :

PROTECTION SERVICES

Chairperson :

Cllr F Africa

Committee Members :

**Cllrs C Resandt, F Krige,
V Macotha & C Tafo-Nwonkwo**

PORTEFEULJEKOMITEE :

BESKERMINGSDIENSTE

Voorsitter :

Rdl F Africa

Komiteelede :

**Rdle C Resandt, F Krige,
V Macotha & C Tafo-Nwonkwo**

1.
**QUARTERLY MONITORING REPORT FOR THE PERIOD OCTOBER TO
DECEMBER 2019: DIRECTORATE: PROTECTION SERVICES**

5/20

N J Michaels

Director: Protection Services

27 January 2020

(028) 313 8054

EXECUTIVE SUMMARY

To report on the functioning and activities of the Directorate: Protection Services for the period October to December 2019.

RESOLVED:

that the Quarterly Monitoring Report of the functioning and activities of the Directorate: Protection Services for the period October to December 2019, **be noted**.

RESPONSIBLE OFFICIAL :

N J MICHAELS

TARGET DATE FOR IMPLEMENTATION :

11 MARCH 2020

PORTFOLIO COMMITTEE :
ECONOMIC DEVELOPMENT & TOURISM

Chairperson :

Cllr K Brice

Committee Members :

**Cllrs C Resandt, C May,
V Macotha & S Kalolo**

PORTEFEULJEKOMITEE :
EKONOMIESE ONTWIKKELING & TOERISME

Voorsitter :

Rdl K Brice

Komiteelede :

**Rdle C Resandt, C May,
V Macotha & S Kalolo**

1.
**ECONOMIC, SOCIAL DEVELOPMENT AND TOURISM QUARTERLY REPORT:
OCTOBER – DECEMBER 2019**

9/1/2/2

S Madikane

Director : Economic Development & Tourism

27 January 2020

(028) 313 8066

EXECUTIVE SUMMARY

The purpose of this report is to provide and outline activities and initiatives conducted by the Directorate to address socio economic challenges and promote economic and social development.

RESOLVED:

that the 2nd quarter report (October-December 2019) of the Directorate: Economic & Social Development and Tourism **be noted**.

RESPONSIBLE OFFICIALS :

**X KOSI
F LLOYD
G SMIT**

TARGET DATE FOR IMPLEMENTATION :

IMMEDIATELY

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr G Cohen

Committee Members :

**Cllrs J Orban, C May,
V Pungupungu & S Kalolo**

PORTEFEULJEKOMITEE :

GEMEENSKAPSDIENSTE

Voorsitter :

Rdl G Cohen

Komiteelede :

**Rdle J Orban, C May,
V Pungupungu & S Kalolo**

1.
**PERFORMANCE REPORT: BASIC SERVICE DELIVERY WITHIN THE
DIRECTORATE COMMUNITY SERVICES FOR THE PERIOD 01 JULY 2019 UNTIL
31 DECEMBER 2019**

17/9/1/1

T Steenberg

Deputy Director : Operational Services

20 January 2020

(028) 3138982

EXECUTIVE SUMMARY

To inform Council of the basic service delivery activities performed during the period of 1 July 2019 until 31 December 2019.

RESOLVED:

that the Performance Report: Basic Service Delivery within the Directorate Community Services for the period 01 July 2019 until 31 December 2019 be noted.

RESPONSIBLE OFFICIAL :

**T STEENBERG
D VAN RHODIE
P BURGER
W GELDENHUYS**

TARGET DATE FOR IMPLEMENTATION :

ONGOING

**PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING**

Chairperson :

Cllr E Gillion

Committee Members :

**Cllrs D Botha, J Orban,
S Tebele & V Pungupungu**

**PORTEFEULJEKOMITEE :
INFRASTRUKTUUR & BEPLANNING**

Voorsitter :

Rdl E Gillion

Komiteelede :

**Rdle D Botha, J Orban,
S Tebele & V Pungupungu**

**1.
TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: OCTOBER 2019 -
DECEMBER 2019**

15/3/11

R Kuchar

Senior Manager : Town & Spatial Planning

14 January 2020

(028) 313 8039

EXECUTIVE SUMMARY

To report on applications disposed of by the Authorised Official in terms of the Spatial Land Use Management Act (SPLUMA) during the period from 15 October 2019 – 4 December 2019.

RESOLVED:

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 15 October 2019 – 4 December 2019:

Spatial Land Use Management Act (SPLUMA) Approvals

- | | | |
|-----|---|------------------|
| 1. | Portion 1 and Remainder Portion 3 of Farm Hermanus River No. 542 (Arabella) | 23 October 2019 |
| 2. | Erf 1699, 18 Seventh Street, Voëlklip, Hermanus | 23 October 2019 |
| 3. | Erf 5199, 13 Doringboom Avenue, Kleinmond | 23 October 2019 |
| 4. | Erf 2406, 95 Ninth Street, Voëlklip, Hermanus | 23 October 2019 |
| 5. | Erf 4116, 3 Seventh Street, Kleinmond | 23 October 2019 |
| 6. | Erf 5613, 39 Ursinia Avenue, Kleinmond | 23 October 2019 |
| 7. | Portion 50 (portion of Portion 45) Hangklip No. 559 | 23 October 2019 |
| 8. | Erf 2169, 68 Eighth Street, Voëlklip, Hermanus | 23 October 2019 |
| 9. | Erf 2382, 2 Fifth Avenue, Voëlklip, Hermanus | 25 October 2019 |
| 10. | Erf 9839, Eleventh Street, Voëlklip, Hermanus | 25 October 2019 |
| 11. | Erf 456, 6 Kiewiet Crescent, Sandbaai | 28 October 2019 |
| 12. | Remainder of Farm 562, a division of Caledon | 28 October 2019 |
| 13. | Erf 3003, 21 Palmiet Road, Kleinmond | 28 October 2019 |
| 14. | Farm 1000, De Bos Dam, Hemel & Aarde Valley, Division Caledon | 28 October 2019 |
| 15. | Erf 6319, 33 Eleventh Avenue, Kleinmond | 28 October 2019 |
| 16. | Erven 3885 – 3895, Under The Oaks, Onrustrivier Amendment of Constitution | 28 October 2019 |
| 17. | Erven 133 and 136, 10 & 12 Kusweg, Sandbaai | 1 November 2019 |
| 18. | Erf 2652, 17 Vleigans Street, Gansbaai | 7 November 2019 |
| 19. | Erf 7105, 29 Sixth Street, Voëlklip, Hermanus | 7 November 2019 |
| 20. | Erf 1832, 36 Fifth Street, Voëlklip, Hermanus | 7 November 2019 |
| 21. | Erven 3885 – 3895, Under the Oaks, Onrustrivier | 13 November 2019 |

22.	Erf 6068, 96 Nivenia Road, Kleinmond	19 November 2019
23.	Erf 7049, 7 Keurboom Avenue, Kleinmond	19 November 2019
24.	Erf 530, 21 Loop Street, Pearly Beach	19 November 2019
25.	Erf 8006, Tenth Avenue, Kleinmond	19 November 2019
26.	Remainder Erf 6996, 11 Third Street, Voëlklip, Hermanus	19 November 2019
27.	Erf 1611, Mini Street, Sandbaai	25 November 2019
28.	Erf 2099, 56 Fifth Street, Voëlklip, Hermanus	25 November 2019
29.	Erf 1660, 27 Long Street, Stanford	25 November 2019
30.	Erf 1610, Mini Street, Sandbaai	25 November 2019
31.	Erf 139, 4 Mark Street, Gansbaai	25 November 2019
32.	Erf 304, 2 Cliff Road, Westcliff, Hermanus	25 November 2019
33.	Remainder Erf 6097, 125 Ninth Street, Voëlklip, Hermanus	29 November 2019
34.	Erf 328, 16 Schneider Street, Franskraal	29 November 2019
35.	Erf 3171, 75 Leeubekkie Street, Blompark, Gansbaai	29 November 2019
36.	Erf 1969, 1 Dasi Street, Eluxolweni, Pearly Beach	29 November 2019
37.	Erf 210, 125 Jan van Riebeeck Crescent, Sandbaai	29 November 2019
38.	Erf 2889, 8 Stafford Street, Hawston	3 December 2019
39.	Erf 1219, Mill Street, Hawston	3 December 2019
40.	Erf 2047, Morningdew Close, Hawston	3 December 2019
41.	Erf 2654, 34 Viljoen Street, Onrustrivier	3 December 2019
42.	Erf 63, 80 Beach Road, Sandbaai	3 December 2019
43.	Erf 2834 and Unregistered Erf 2837, Sandbaai Commonage, Sandbaai	3 December 2019
44.	Erf 562, 27 Quick Street, Stanford	3 December 2019
45.	Erf 5395, Unit 7, 55 Marine Drive, Westcliff, Hermanus	3 December 2019
46.	Erf 2225, 56 Tenth Street, Voëlklip, Hermanus	4 December 2019

Municipal Planning Tribunal

1.	Erf 602, 7 Commercial Street, Pearly Beach	31 October 2019
2.	Erf 6256, 76 Seventh Street, Voëlklip, Hermanus	31 October 2019
3.	Erf 1849, 20 Industry Close, Gansbaai	31 October 2019
4.	Erven 2295 and 2296, 76 & 78 Long Street, Sandbaai	31 October 2019
5.	Erf 1068, Stanford	31 October 2019
6.	Erven 1600, 1601 and 1602, Bergsig Street, Sandbaai	31 October 2019
7.	Portion 141 (a portion of Portion 133) of the farm Hangklip No. 559	31 October 2019
8.	Erf 9854, 241 Eleventh Street, Voëlklip, Hermanus	28 November 2019

RESPONSIBLE OFFICIAL :

R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION :

11 MARCH 2020

2.

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

3160 GBP (2810)**R Kuchar****27 November 2019****Senior Manager: Town & Spatial Planning****(028) 313 8900**

EXECUTIVE SUMMARY

An application has been received from Messrs InterActive Town and Regional Planning on behalf of F Abrahams for a rezoning in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) (LUPO) of a portion of Erf 3160, Gansbaai to accommodate the existing liquor store on the property.

RESOLVED:

that the item **be referred back**.

RESPONSIBLE OFFICIAL :**SW VAN DER MERWE****TARGET DATE FOR IMPLEMENTATION :****11 MARCH 2020****TARGET DATE TO INFORM APPLICANT :****11 MARCH 2020****TARGET DATE TO INFORM OBJECTORS :****N/A**

3.

TWO PORTIONS OF ERF 212 VAN DYKSBAAI: RENEWAL OF EXISTING LEASE AND THE LEASE OF AN ADDITIONAL PORTION OF MUNICIPAL PROPERTY TO OVERBERG BOAT CLUB

7/2/3/2

A le Roux

10 January 2020

Manager : Property Administration

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Overberg Boat Club for a period of 9 (NINE) years and 11 (ELEVEN) months in respect of municipal property, being a portion of Erf 212 Van Dyksbaai ($\pm 2,736\text{m}^2$ in extent) situated next to Birkenhead Road, Van Dyksbaai, for the purpose of managing a boat club and related purposes.

To obtain approval to lease an additional portion of Erf 212 Van Dyksbaai ($\pm 10,306\text{m}^2$ in extent) situated next to Birkenhead Road, Van Dyksbaai to Overberg Boat Club for a period of 9 (NINE) years and 11 (ELEVEN) months for the purpose of managing a boat club and related purposes.

RESOLVED:that the item **be referred back**.**RESPONSIBLE OFFICIAL:****N LIEBENBERG****TARGET DATE FOR IMPLEMENTATION:****11 MARCH 2020****TARGET DATE TO INFORM APPLICANT:****31 MARCH 2020****TARGET DATE TO INFORM OBJECTOR:****N/A**

4.

IN PRINCIPLE APPROVAL FOR THE ALIENATION OF UNREGISTERED ERF 1929 (A PORTION OF ERF 599) PEARLY BEACH AS WELL AS A PORTION OF THE REMAINDER OF ERF 599 PEARLY BEACH TO DE PYP TRUST

7/2/3/2

A Le Roux

Manager: Property Administration

3 January 2020

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain approval in principle for the direct alienation of unregistered Erf 1929 (a portion of Erf 599) Pearly Beach (413m² in extent), adjacent to Erf 1930 Pearly Beach situated in Broadway Street, Pearly Beach, to the owner of Erf 1930 Pearly Beach, being De Pyp Trust.

Further, to obtain approval in principle for the direct alienation of a portion of the remainder of Erf 599 Pearly Beach (±300m² in extent), adjacent to Erven 1930 and 604 Pearly Beach situated behind Broadway Street, Pearly Beach, to the owner of Erven 1930 and 604 Pearly Beach, being De Pyp Trust.

RECOMMENDATION TO THE COUNCIL:

1. that the direct alienation of unregistered Erf 1929 (a portion of Erf 599) Pearly Beach, adjacent to Erf 1930 Pearly Beach, (413m² in extent) to the owner of the adjoining property, De Pyp Trust, at R49,560.00 (FORTY NINE THOUSAND FIVE HUNDRED AND SIXTY RAND) (VAT excluded) be **approved in principle**;
2. that the direct alienation of a portion of the remainder of Erf 599 Pearly Beach, adjacent to Erf 1930, (±300m² in extent) to the owner of the adjoining property, De Pyp Trust, at R120.00/m² (ONE HUNDRED AND TWENTY RAND) PER SQUARE METRE (VAT excluded) be **approved in principle**;
3. that no construction except a boundary fence or wall be allowed on the properties to be alienated and this condition must be registered against the title deed of the consolidated property;
4. that Council take cognisance of the fact that the direct alienation is only possible as unregistered Erf 1929 (a portion of Erf 599) Pearly Beach and the subject portion of the remainder of Erf 599 Pearly Beach can be classified as non-viable property;
5. that, subject to the approval in 1 and 2 above, a public participation process be followed at the cost of the applicant/purchaser;

6. that it be noted that a condition for alienation will be that the subject properties to be alienated must be consolidated with the adjoining property of De Pyp Trust, being Erf 1930 Pearly Beach;
7. that the alienation of the properties to be alienated, be subject to obtaining the necessary Town Planning approvals;
8. that all costs pertaining to the transaction, e.g. application cost, valuation cost, road closure, subdivision, rezoning and consolidation, transfer and related costs, advertisement, etc be paid by the applicant/purchaser;
9. that it is confirmed that Council has taken cognisance of the fact that the municipal properties herewith envisaged to be alienated are 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); and
10. that a water pipeline servitude be registered over unregistered Erf 1929, Pearly Beach in favour of the Overstrand Municipality at the cost of the applicant/purchaser with the specific conditions that:
 - (a) the applicant provides access at all times to the Overstrand Municipality for the purpose of inspecting, maintaining, repairing or removing, if necessary at a later stage, of water line or equipment; and
 - (b) no structures, trees or plants may be erected within 1,5 m (one and a half metre) on each side of the water pipeline.

RESPONSIBLE OFFICIAL :

W MURTZ

TARGET DATE FOR IMPLEMENTATION :

13 MARCH 2020

TARGET DATE TO INFORM APPLICANT :

27 MARCH 2020

TARGET DATE TO INFORM OBJECTOR :

N/A

**5.
ERF 2037 GANSBAAI SITUATED IN MASAKHANE: RENEWAL OF LEASE OF
MUNICIPAL PROPERTY TO TAKALANE BABY CARE**

7/2/3/2

A le Roux

Manager : Property Administration

8 January 2020

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Takalane Baby Care for a period of 3 (THREE) years in respect of municipal property, being Erf 2037 Gansbaai (624m² in extent) situated at 22 Hani Crescent, Masakhane, Gansbaai, for the purpose of managing the Takalane Early Childhood Development Centre.

RESOLVED:

1. that the lease of municipal property, being Erf 2037 Gansbaai, situated in Masakhane, (624m² in extent), to Takalane Baby Care for the purpose of managing the Takalane Early Childhood Development Centre at the rental amount of R147.83 (ONE HUNDRED AND FORTY SEVEN RAND AND EIGHTY THREE CENT) (VAT excluded) per month for a period of 3 (THREE) years as from 1 December 2019 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the tariffs stipulated in the Annual Budget as approved by Council, the next escalation to be on 1 July 2020.

RESPONSIBLE OFFICIAL:

N LIEBENBERG

TARGET DATE FOR IMPLEMENTATION:

11 MARCH 2020

TARGET DATE TO INFORM APPLICANT:

31 MARCH 2020

TARGET DATE TO INFORM OBJECTOR:

N/A

6.

A PORTION OF PORTION 32 (A PORTION OF PORTION 18) OF FARM KLIP FONTEYN NUMBER 711: RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO VODACOM (PTY) LTD

7/2/3/1

A le Roux

Manager: Property Administration

5 November 2019

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement for a period of 9 (NINE) years and 11 (ELEVEN) months with Vodacom (Pty) Ltd, hereinafter referred to as "Vodacom", in respect of a portion of portion 32 (a portion of portion 18) of the Farm Klip Fonteyn Number 711 Caledon Regional District ($\pm 79\text{m}^2$ in extent), situated off Birkenhead Road near the Kleinbaai Water Reservoir for a telecommunication base station and related purposes.

RESOLVED:

1. that the lease of municipal property, being a portion of a portion 32 (a portion of portion 18) of Farm Klip Fonteyn Number 711 Caledon Regional District ($\pm 79\text{m}^2$ in extent), to Vodacom (Pty) Ltd for telecommunication base station and related purposes at the rental amount of R5,358.57 (FIVE THOUSAND THREE HUNDRED AND FIFTY EIGHT RAND AND FIFTY SEVEN CENTS) (VAT Excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months as from 1 August 2019 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the tariffs stipulated in the Annual Budget as approved by Council, the next escalation to be on 1 July 2020.

RESPONSIBLE OFFICIAL:

M ERASMUS

TARGET DATE FOR IMPLEMENTATION:

27 MARCH 2020

TARGET DATE TO INFORM APPLICANT:

13 MARCH 2020

TARGET DATE TO INFORM OBJECTOR:

N/A

7.
TRANSFER OF A PORTION OF ERF 4410 HERMANUS TO MR GJ & MRS E FOURIE FOR THE ERECTION OF A BOUNDARY WALL

7/2/3/2

A le Roux

Manager: Property Administration

3 January 2020

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain final approval for the transfer of a portion of Erf 4410 Hermanus (adjacent to Erf 4453 Hermanus), 148m² in extent, for the erection of a boundary wall to the owners of the adjoining erf, Mr GJ & Mrs E Fourie, located at 8 Mountain Drive, Northcliff, Hermanus.

RECOMMENDATION TO THE COUNCIL:

1. that the transfer of a portion of Erf 4410 Hermanus (adjacent to Erf 4453 Hermanus), 148m² in extent, for the erection of a boundary wall to Mr GJ & Mrs E Fourie, at an amount of R103,304.00 (ONE HUNDRED AND THREE THOUSAND THREE HUNDRED AND FOUR RAND) (VAT excluded), **be approved;**
2. that Council take cognisance of the fact that the direct alienation and subsequent transfer is only approved as the subject portion of Erf 4410 Hermanus is classified as a non-viable property;
3. that it be noted that a condition of transfer will be that the subject portion of Erf 4410 Hermanus must be consolidated with the adjoining property of Mr GJ & Mrs E Fourie, being Erf 4453 Hermanus;
4. that the transfer of a portion of Erf 4410 Hermanus, 148m² in extent, be subject to obtaining the necessary Town Planning approvals;
5. that a condition be registered against the title deed of the to be consolidated property that the portion of property envisaged to be transferred may only be used for safety and access purposes and no structures, excluding a boundary fence or wall, may be erected thereon;
6. that all the costs pertaining to the transaction, e.g. valuation costs, subdivision, consolidation, closure of public road, rezoning, transfer and related costs, advertisements, etc., be paid by the Applicant/purchaser;

7. that the Applicant/purchaser must contact the Electrical Department to point out the position of electrical cables before any trenching commences for the foundation of the wall to be built by the purchaser;
8. that it be noted that the municipal property envisaged to be transferred 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); and
9. that the Municipal Manager be authorised to sign all documents relating to the alienation and transfer of the subject portion of Erf 4410 Hermanus.

RESPONSIBLE OFFICIAL :

W MURTZ

TARGET DATE FOR IMPLEMENTATION :

13 MARCH 2020

TARGET DATE TO INFORM APPLICANT :

27 MARCH 2020

TARGET DATE TO INFORM OBJECTOR :

N/A

**8.
PORTIONS OF ERVEN 249, 832 & 829 HERMANUS: RENEWAL LEASE OF
MUNICIPAL PROPERTY TO KEE PROPERTY INVESTMENTS (PTY) LTD**

7/2/3/1

A le Roux

Manager : Property Administration

3 December 2019

(028) 316 3724

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with KEE Property Investments (Pty) Ltd, in respect of municipal property being portions of Erven 249, 832 & 829 Hermanus (jointly $\pm 702.34\text{m}^2$ in extent) situated in Marine Drive and Market Square Street for a period of 5 (FIVE) years for placing tables and chairs (and/or benches) for outdoor seating for restaurant purposes.

RESOLVED:

1. that the lease of municipal property, being portions of Erven 249, 829 & 832 Hermanus (jointly $\pm 702.34\text{m}^2$ in extent), to KEE Property Investments (Pty) Ltd for placing tables and chairs (and/or benches) for outdoor seating for restaurant purposes at the rental amount of R29.57/m² (TWENTY NINE RAND AND FIFTY SEVEN CENT PER SQUARE METRE) (VAT Excluded) per month for a period of 5 (FIVE) years from 1 October 2019 in terms of the Administration of Immoveable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July as stipulated in the Overstrand Municipality's Tariffs for the specific financial year, as approved by Council in the Annual Budget, the next escalation to be on 1 July 2020.

RESPONSIBLE OFFICIAL :

R SKADUWEE

TARGET DATE FOR IMPLEMENTATION :

13 MARCH 2020

TARGET DATE TO INFORM APPLICANT :

31 MARCH 2020

TARGET DATE TO INFORM OBJECTOR :

N/A

9.

A PORTION OF THE REMAINDER OF ERF 243 HERMANUS: RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO BLUEBIRD TRIO (PTY) LTD T/A NISSAN HERMANUS

7/2/3/1

A le Roux

Manager : Property Administration

3 December 2019

(028) 316 3724

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Bluebird Trio (Pty) Ltd t/a Nissan Hermanus, hereafter referred to as "Nissan", in respect of municipal property, being a portion of the remainder of Erf 243 Hermanus ($\pm 105\text{m}^2$ in extent), situated in Swartdam Road for a period of 3 (THREE) years for the purpose of displaying and parking of vehicles for sale.

RESOLVED:

1. that the lease of municipal property, being a portion of the remainder of Erf 243 Hermanus ($\pm 105\text{m}^2$ in extent) to Bluebird Trio (Pty) Ltd t/a Nissan Hermanus for the purpose of displaying and parking of vehicles for sale at the rental amount of R575.05 (FIVE HUNDRED AND SEVENTY FIVE RAND AND FIVE CENTS) (Vat excluded) per month for a period of 3 (THREE) years from 1 June 2019 to 30 May 2022 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July by a percentage fixed in accordance with the prevailing consumer price index (all items) with the first escalation being on 1 July 2020.

RESPONSIBLE OFFICIAL :**R SKADUWEE****TARGET DATE FOR IMPLEMENTATION :****13 MARCH 2020****TARGET DATE TO INFORM APPLICANT :****31 MARCH 2020****TARGET DATE TO INFORM OBJECTOR :****N/A**

**10.
ENCROACHMENT ON A PORTION OF MUNICIPAL PROPERTY, A PORTION OF
REMAINDER FARM 581 ONRUSTRIVIER: PN DE WAAL**

7/2/5

A le Roux

Manager: Property Administration

3 January 2020

(028) 316-3724

EXECUTIVE SUMMARY

To obtain approval to enter into an encroachment agreement with Mr Pieter Nicolaas De Waal who applied for an encroachment agreement on municipal property being a portion of the remainder of Farm 581 Onrustrivier ($\pm 167\text{m}^2$ in extent), adjoining Erf 2918 Onrustrivier, for a period of 5 (FIVE) years for gardening purposes.

RESOLVED:

1. that the encroachment on municipal property being a portion of the remainder of Farm 581 Onrustrivier ($\pm 167\text{m}^2$ in extent), adjacent to Erf 2918 Onrustrivier, to Mr Pieter Nicolaas de Waal at an amount of R531.00 (FIVE HUNDRED AND THIRTY ONE RAND) (VAT excluded) per annum for a period of 5 (FIVE) years in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the prescribed tariff mentioned in 1 above escalate every year on the 1st of July in accordance with the tariffs stipulated in the Annual Budget as approved by Council, the next escalation to be on 1 July 2020.

RESPONSIBLE OFFICIAL :

W MURTZ

TARGET DATE FOR IMPLEMENTATION :

27 MARCH 2020

TARGET DATE TO INFORM APPLICANT :

13 MARCH 2020

TARGET DATE TO INFORM OBJECTOR :

N/A

11.

**ERF 1602, BERGSIG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA:
APPLICATION TO DEVIATE FROM THE OVERSTRAND SPATIAL DEVELOPMENT
FRAMEWORK****1600 - 1602 HSB (4148)****R Kuchar****Senior Manager : Town & Spatial Planning****20 January 2020****(028) 313-8900****EXECUTIVE SUMMARY**

To consider an application in terms of the provisions of the Local Government: Municipal Systems Act No 32 of 2000 received on 21 August 2018 from Messrs Plan Active on behalf of Blazecor Twenty Seven CC applicable on Erf 1602, Sandbaai to deviate from the Overstrand Spatial Development Framework (SDF), in order to change the reservation of the property from "Residential" purposes to "Industrial" purposes.

RECOMMENDATION TO THE COUNCIL:

that the application to deviate from the Overstrand Spatial Development Framework, 2006 in order to change the reservation of Erf 1602, Sandbaai from residential purposes to industrial purposes, **be approved** in terms of the provisions of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015, as well as the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000).

RESPONSIBLE OFFICIAL :**H VAN DER STOEP****TARGET DATE FOR IMPLEMENTATION :****19 MARCH 2020****TARGET DATE TO INFORM APPLICANT :****19 MARCH 2020****TARGET DATE TO INFORM OBJECTOR :****N/A**

12.

A PORTION OF ERF 76 ZWELIHLE: RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO NOMZAMO EDUCARE CENTRE

7/2/3/2

A le Roux

Manager : Property Administration

7 January 2020

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Nomzamo Educare Centre for a period of 3 (THREE) years in respect of municipal property, being a portion of Erf 76 Zwelihle ($\pm 1,028.3\text{m}^2$ in extent) situated at 28 Petros Ntlapo Street, Zwelihle, for the purpose of operating the Nomzamo Crèche.

RESOLVED:

1. that the lease of municipal property, being a portion of Erf 76 Zwelihle ($\pm 1,028.3\text{m}^2$ in extent), to Nomzamo Educare Centre for the purpose of operating the Nomzamo Crèche at the rental amount of R147.83 (ONE HUNDRED AND FORTY SEVEN RAND AND EIGHTY THREE CENT) (VAT excluded) per month for a period of 3 (THREE) years as from 1 January 2020 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the tariffs stipulated in the Annual Budget as approved by Council, the next escalation to be on 1 July 2020.

RESPONSIBLE OFFICIAL:**N LIEBENBERG****TARGET DATE FOR IMPLEMENTATION:****11 MARCH 2020****TARGET DATE TO INFORM APPLICANT:****31 MARCH 2020****TARGET DATE TO INFORM OBJECTOR:****N/A**

The meeting adjourned at 14:22

DATE

D COETZEE – EXECUTIVE MAYOR