



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 27 JUNE / JUNIE / JUNI 2018

**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 27 JUNE 2018, AT 10:00**

PRESENT: Councillors were present as per attached attendance register.

OFFICIALS PRESENT:

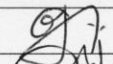
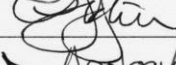
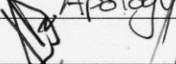
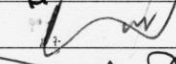
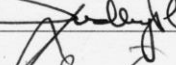
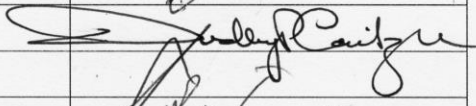
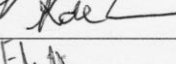
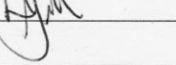

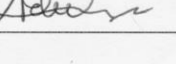
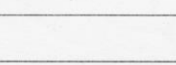
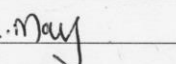
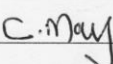
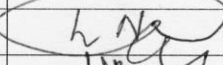
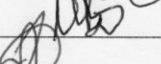
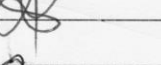
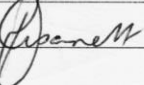
Mr C Groenewald, Municipal Manager
Ms S Reyneke-Naudé, Director : Finance
Mr R Williams, Director : Community Services
Ms D Arrison, Director : Management Services
Mr N Michaels, Director : Protection Services
Mr R Kuchar, Acting Director : Infrastructure & Planning
Mr F Myburgh, Senior Manager : Gansbaai Administration
Ms A le Roux, Manager : Property Administration
Mr D van der Heever, Internal Audit Executive
Mr L Smith, Chief: Fire & Rescue & Disaster Management
Ms S Swart: Administrative Officer : Council Support Services
ICT
Mr W Louw, Risk Officer (Intern)
Ms M de Villiers : Mayoral Committee Secretary
Ms D Laing, Relief Clerk : Grade 2

ALSO PRESENT: Members of the Public

MINUTES/.....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING
27 JUNE 2018

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F	
BOTHA, D	
BOTHA-GUTHRIE, N	
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	
MSWELI, X	
NTSABO, L	
OPPERMAN, M	
ORBAN, J	
PUNGUPUNGU, V	
RESANDT, C	
SAPEPA, NM	
TAFU-NWONKWO, CC	
TEBELE, S	

1. OPENING

Cllr A Komani opened with prayer. The Municipal Manager, Mr C Groenewald, read the notice convening the meeting.

2. APPLICATIONS FOR LEAVE OF ABSENCE

Ald N Botha-Guthrie

RESOLVED

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

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 30 May 2018 at 10:00**

RESOLVED

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 30 May 2018 at 10:00, be confirmed.**

4. STATEMENTS AND COMMUNICATIONS BROUGHT FORWARD BY THE EXECUTIVE MAYOR

None

5.
**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c), FOR MAY 2018**

8/2/2

C Le Roux
11 June 2018

(028) 313 8107

Corporate Head Office

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 May 2018.

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for May 2018, **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 May 2018, **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

6.
CONTRACT SC 1660A/2015: PROPOSED AMENDMENT: PROVISION OF MULTI-FUNCTIONAL OFFICE MACHINES TO OVERSTRAND MUNICIPALITY FOR A CONTRACT PERIOD ENDING 30 NOVEMBER 2018

8/2/2

J van Asperen
 11 June 2018

(028) 313 8959

Corporate Head office

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation on the proposed amendment of CONTRACT NUMBER SC1660/2015: PROVISION OF MULTI-FUNCTIONAL OFFICE MACHINES TO OVERSTRAND MUNICIPALITY FOR A CONTRACT PERIOD ENDING 30 NOVEMBER 2018, in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA), to enable Council to make an informed decision whether to consent to the amendment of the contract.

RECOMMENDATION TO THE COUNCIL:

1. that **cognisance be taken** of the reasons for the proposed amendment of Contract number SC1660/2015A: Provision of Multi-functional Office Machines to Overstrand Municipality for a contract period ending 30 November 2018, in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the amendment be consented to;
2. that **cognisance be taken** that no recommendations or representations were received from the local community by closing date, 21 May 2018;
3. that the contract be terminated on 30 November 2018 or an earlier date when the successful bidder appointed on tender no. SC 1870/2018 has replaced all the existing machines in use; and
4. that the contract be terminated on the completion of the section 33 process of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) in the event that the successful bidder appointed on tender SC 1870/2018 is Konica Minolta South Africa a Division of Bidvest Office (Pty) Ltd.

RESPONSIBLE OFFICIAL :

**J VAN ASPEREN
 C ROETS**

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2018

7.
CONTRACT SC 1601A/2015: PROPOSED AMENDMENT: PROVISION AND ADMINISTRATION OF ELECTRICITY PRE-PAYMENT VENDING SYSTEM FOR A CONTRACT PERIOD ENDING 30 JUNE 2018

8/2/2

EM Hooneberg
20 Junie 2018

(028) 313 8149

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation on the proposed amendment of Contract SC 1601/2015: Provision and Administration of an Electricity Prepayment Vending System for Overstrand Municipality for a Contract Period ending 30 June 2018, in terms of the enabling provisions of section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA), to enable Council to make an informed decision whether to consent to the amendment of the contract.

RECOMMENDATION TO THE COUNCIL:

1. that **cognisance be taken** that no recommendations or representations were received from the local community by closing date, 18 June 2018; and
2. that **cognisance be taken** of the reasons for the proposed amendment of Contract number SC1601A/2015: Provision and Administration of Electricity Prepayment Vending System to Overstrand Municipality for a contract period ending 30 June 2019, in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the amendment be consented to.

RESPONSIBLE OFFICIAL :

EM HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

01 JULY 2018

8.
CONTRACT SC 1675A/2016: PROPOSED AMENDMENT: UPGRADE, MAINTENANCE AND SUPPORT OF OVERSTRAND MUNICIPALITY'S RADIO FREQUENCY NETWORK FOR A CONTRACT PERIOD ENDING 30 JUNE 2021

8/2/2

C Johnson
 20 June 2018

(028) 313 8190

Corporate Head office

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation on the proposed amendment of CONTRACT NUMBER SC1675/2016: UPGRADE, MAINTENANCE AND SUPPORT OF OVERSTRAND MUNICIPALITY'S RADIO FREQUENCY NETWORK FOR A CONTRACT PERIOD ENDING 30 JUNE 2018, in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA), to enable Council to make an informed decision whether to consent to the amendment of the contract.

RECOMMENDATION TO THE COUNCIL:

1. that **cognisance be taken** of the reasons for the proposed amendment of SC1675A/2016: Upgrade, Maintenance and Support of Overstrand Municipality's Radio Frequency Network for a contract period ending 30 June 2021, in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the amendment be consented to; and
2. that **cognisance be taken** that no recommendations or representations were received from the local community by closing date, 18 June 2018.

RESPONSIBLE OFFICIAL :

**C JOHNSON
 C ROETS**

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2018

PORTFOLIO COMMITTEE :

FINANCE

Chairperson :

Cllr R de Coning

Committee Members :

**Cllrs L Ntsabo, G Cohen,
S Tebele, X Msweli and B Molefe**

PORTEFEULJEKOMITEE :

FINANSIES

Voorsitter :

Rdl R de Coning

Komiteelede :

**Rdle L Ntsabo, G Cohen,
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, Ald N Botha-Guthrie,
Cllrs M Opperman & N Nqinata**

PORTEFEULJEKOMITEE :

BESTUURSDIENSTE

Voorsitter :

Rdl A Komani

Komiteelede :

**Rdh M Sapepa, Rdh N Botha-Guthrie,
Rdle M Opperman & N Nqinata**

1.
RISK MANAGEMENT STRATEGY AND POLICY 2018/2019

2/B

A Riddles

(028) 313 5044

Corporate Head Office

18 May 2018

EXECUTIVE SUMMARY

To obtain Council's approval for the Risk Management Strategy and Policy, that has been reviewed by the Risk Management Committee.

RECOMMENDATION TO THE COUNCIL:

1. that the Risk Management Strategy **be approved**; and
2. that the Risk Management Policy **be approved**;

RESPONSIBLE OFFICIAL :

A RIDDLES

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2018

2.
COMBINED ASSURANCE POLICY FRAMEWORK 2018/2019

2/B

A Riddles

(028) 313 5044

Corporate Head Office

18 May 2018

EXECUTIVE SUMMARY

To obtain Council's approval for the Combined Assurance Policy Framework, that has been reviewed by the Risk Management Committee.

RECOMMENDATION TO THE COUNCIL:

that the Combined Assurance Policy Framework **be approved**.

RESPONSIBLE OFFICIAL :

A RIDDLES

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2018

PORTFOLIO COMMITTEE :

**PROTECTION SERVICES,
ECONOMIC DEVELOPMENT & TOURISM**

Chairperson :

Cllr E Gillion

Committee Members :

**Cllrs C Resandt, G Cohen,
V Macotha & C Tafu-Nwonko**

PORTEFEULJEKOMITEE :

**BESKERMINGSDIENSTE,
EKONOMIESE ONTWIKKELING & TOERISME**

Voorsitter :

Rdl E Gillion

Komiteelede :

**Rdle C Resandt, G Cohen,
V Macotha & C Tafu-Nwonko**

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

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr F Africa

Committee Members :

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

PORTEFEULJEKOMITEE :

GEMEENSKAPSDIENSTE

Voorsitter :

Rdl F Africa

Komiteelede :

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

1.
BENEFICIARIES: UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME (UISP): 100 ERVEN: BEVERLEY HILLS, GANSBAAI

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

25 May 2018

EXECUTIVE SUMMARY

This report is to inform the Executive Mayor of potential beneficiaries for the upgrading of the UISP project in Beverley Hills, Gansbaai.

RESOLVED:

1. that the list of 90 families from the survey in Beverly Hills, where UISP development is progress, **be noted**;
2. that rental agreements be concluded with potential beneficiaries that comply with the criteria of UISP, with the follow exceptions:
 - persons who are not first-time home owners,
 - persons who have previously received assistance and who previously owned and/or currently own a residential property,
 - persons who do not have the official South African identity document excluding illegal immigrants that comply with the conditions prescribed by the Department of Home Affairs;
3. that residents in informal settlement that are owners of properties elsewhere in Overstrand Municipal area and rest of the Republic of South Africa, not be allowed to participate in UISP but that the process **be implemented** to ensure that affected residents move to their original housing opportunity or alternative accommodation;
4. that potential beneficiaries that are not in possession of an identity document be granted the opportunity to obtain proof of identification within a period of three months, from the approval date of this report before they enter into a rental agreement on a case by case basis, in respect of the UISP development; and
5. that all erven in Beverly Hills that remain or became vacant in future be utilised for emergency housing, **to be approved** on a case by case basis.

RESPONSIBLE OFFICIAL:

FW FRANS

TARGET DATE FOR IMPLEMENTATION:

N/A

**PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING**

Chairperson :

Cllr K Brice

Committee Members :

**Cllrs D Botha, F Krige,
S Tebele & V Pungupungu**

**PORTEFEULJEKOMITEE :
INFRASTRUKTUUR & BEPLANNING**

Voorsitter :

Rdl K Brice

Komiteelede :

**Rdle D Botha, F Krige,
S Tebele & V Pungupungu**

**1.
TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY : APRIL 2018 – MAY 2018**

15/3/11

R van Antwerp
23 May 2018

(028) 313 8039

Hermanus Administration

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 11 April 2018 – 23 May 2018.

RESOLVED:

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 11 April 2018 – 23 May 2018:

Spatial Land Use Management Act (SPLUMA) Approvals

1.	Erf 243, Hermanus	11 April 2018
2.	Remainder of the farm Klipdam Downs No. 222	23 April 2018
3.	Erf 87, Franskraal	14 May 2018
4.	Erf 935, Franskraal	14 May 2018
5.	Farm 409 in the Bredasdorp District	14 May 2018
6.	Erf 7507, Hermanus	14 May 2018
7.	Erf 7490, Hermanus	22 May 2018
8.	Remainder of Portion 14 of the farm Klein Rivier Kloof No 660	22 May 2018
9.	Erf 3149, Onrustrivier	22 May 2018
10.	Farm Honingklip No. 470	22 May 2018
11.	Erf 5782, Hermanus	22 May 2018

RESPONSIBLE OFFICIAL :

R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION :

11 JULY 2018

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

2.

PORTIONS 1 AND 2 OF THE FARM SPRINGFONTEIN NO. 641, DIVISION CALEDON : APPLICATION FOR CONSENT USE : MESSRS WRAP CONSULTANCY ON BEHALF OF SPRINGFONTEIN WINE ESTATE (PTY) LTD**Portions 1 & 2/641 (3138)****SW van der Merwe
15 May 2018****(028) 313 8900****Hermanus Administration**

EXECUTIVE SUMMARY

To consider an application from Messrs WRAP Consultancy on behalf of the owners of Portions 1 and 2 of the Farm Springfontein No. 641, Division Caledon, Springfontein Wine Estate (Pty) Ltd, for the following consent uses:

RESOLVED:

1. that the application for consent use (agri industry, tourist facility, place of entertainment, venue and additional dwelling units) applicable to Portion 1 of the Farm Springfontein No. 641, Division Caledon, in order to conduct a wine cellar (649m²), olive processing facility (81m²), place of entertainment from the existing restaurant (297m²), farm store (100m²), wine tasting from the existing tasting facility and the proposed farm store, function venue in an existing labourer's cottage (26m²) and the construction of three (3) additional dwelling units measuring 250m² each, **be approved** in terms of the provisions of Section 2.3 of the Overstrand Zoning Scheme Regulations subject to the following conditions:
 - (a) that the above approval does not exempt the applicant from compliance with any other applicable legislation;
 - (b) that a detailed Site Development Plan (SDP) including parking layout be submitted indicating the location and extent of all buildings, structures and land uses on the property;
 - (c) that the parking layout in accordance with the final approved SDP be implemented, properly demarcated and at all times be available for visitors;
 - (d) that the applicant/owner be responsible for the appointment of an acoustic/noise consultant and the implementation of mitigation measures, should any justified complaints with regard to noise/disturbance being received;
 - (e) that rates and service tariffs in respect of multi zoning as determined by the annual budget, which tariffs are automatically adjusted in terms of the annual budget be applicable;

- (f) that sewage for the development referred to in paragraph 1. above be dealt with by means of sewage conservancy tanks and be indicated as such on the SDP;
 - (g) that the farm shop may not be conducted without a valid business license;
 - (h) that the necessary competency certificates with regard to the preparation of food, as well as a certificate of the Chief: Fire Services be obtained;
 - (i) the sale of liquor be subject to a valid liquor license;
 - (j) that the relevant conditions of the Department of Transport and Public Works, Fire Services, Eskom, Breede-Gouritz Catchment Management Agency, Telkom, CapeNature, Engineering Services Report and the Department of Environmental Affairs and Development Planning must be adhered to;
 - (k) that the place of entertainment to conduct live music be restricted to the restaurant as per the approved SDP;
 - (l) that the consent uses approved in terms of paragraph 1 above be conducted in such a manner that it is not found detrimental to the peacefulness and amenity of the area, and
 - (m) that the pressing of olives be restricted between 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays, excluding public holidays.
2. that the applicant be notified of their right of appeal in terms of the Municipal Systems Act, 2000 (Section 62) with regard to the above decision.

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	11 JULY 2018
TARGET DATE TO INFORM APPLICANT :	11 JULY 2018
TARGET DATE TO INFORM OBJECTORS :	11 JULY 2018

3.

HERMANUS: A PORTION OF THE REMAINDER OF ERF 249: LEASE OF MUNICIPAL PROPERTY TO BELLA ROSA INVESTMENT HOLDINGS (PTY) LTD

7/2/3/1

W Murtz

(028) 316-3724

Hermanus Administration

10 May 2017

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement for a period of 5 (FIVE) years from 1 February 2018 with the Bella Rosa Investment Holdings (Pty) Ltd, in respect of municipal property, being a portion of the remainder of Erf 249 Hermanus ($\pm 60\text{m}^2$ in extent) situated on the corner of Harbour and Marine Road, Hermanus, for the purpose of outdoor tables and chairs for restaurant seating.

RESOLVED:

1. that the lease of municipal property, being a portion of the remainder of Erf 249 Hermanus ($\pm 60\text{m}^2$ in extent) to Bella Rosa Investment Holdings (Pty) Ltd for the purposes of outdoor tables and chairs for restaurant seating at the rental amount of R26.32 (TWENTY SIX AND THIRTY TWO CENTS) (VAT excluded) per square metre per month for a further period of 5 (FIVE) years as from 1 February 2018 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 2018.

RESPONSIBLE OFFICIAL :

W MURTZ

TARGET DATE FOR IMPLEMENTATION :

31 JULY 2018

TARGET DATE TO INFORM APPLICANT :

8 JULY 2018

TARGET DATE TO INFORM OBJECTOR :

N/A

4.

HERMANUS: PARTIAL AMENDMENT OF RESOLUTION DATED 31 MAY 2017 FOR THE LEASE OF A PORTION OF MUNICIPAL PROPERTY, BEING A PORTION OF ERF 243 HERMANUS, FOR THE PURPOSE OF PARKING AND DISPLAYING VEHICLES

7/2/3/1/

W Murtz

10 May 2018

(028) 316 - 3724

Hermanus Administration

EXECUTIVE SUMMARY

The purpose of this report is to obtain approval for the partial amendment of the resolution dated 31 May 2017 for the lease of municipal property, being a portion of Erf 243 Hermanus ($\pm 105\text{m}^2$ in extent), situated in Swartdam Road, to Springsweg Nigel Eiendomme (Pty) Ltd t/a Heidelberg, Nigel and Hermanus Nissan. The amendment will entail the substitution of the name of the previous lessee, being Springsweg Nigel Eiendomme (Pty) Ltd t/a Hermanus Nissan with the new owner of the business, being Bluebird Trio (Pty) Ltd t/a Hermanus Nissan.

RESOLVED:

that the partial amendment of the resolution dated 31 May 2017, for the lease of municipal property, being a portion of Erf 243 Hermanus ($\pm 105\text{m}^2$ in extent), situated in Swartdam Road, to Springsweg Nigel Eiendomme (Pty) Ltd t/a Heidelberg, Nigel and Hermanus Nissan, by substituting the name of the Lessee with Bluebird Trio (Pty) Ltd t/a Hermanus Nissan, **be approved**.

RESPONSIBLE OFFICIAL :

W MURTZ

TARGET DATE FOR IMPLEMENTATION :

31 JULY 2018

TARGET DATE TO INFORM APPLICANT :

8 JULY 2018

TARGET DATE TO INFORM OBJECTOR :

N/A

5.

**HERMANUS, A PORTION OF ERF 4771 KNOWN AS “DUTCHIES RESTAURANT”:
DEVIATION FROM PARAGRAPHS 18 AND 24 OF THE ADMINISTRATION OF
IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO
ENTER INTO A FUTHER TEMPORARY LEASE AGREEMENT WITH TASOCLOX
(PTY) LTD**

7/2/3/1

M Erasmus
9 May 2018

(028) 316-3724

Hermanus Administration

EXECUTIVE SUMMARY

To obtain approval from the Executive Mayor to enter into a further lease agreement with Tasoclox (Pty) Ltd in respect of a portion of Erf 4771 Hermanus for the purpose of managing a kiosk/restaurant known as “Dutchies” at Grotto Beach, Hermanus; and

To obtain approval from Council for the deviation from paragraph 18 and 24 of the Administration of Immovable Property Policy of 2015 allowing the Municipality to enter into a further lease agreement with Tasoclox (Pty) Ltd in respect of a portion of Erf 4771 Hermanus for the purpose of managing a kiosk/restaurant at Grotto Beach, Hermanus without following a competitive bidding process.

RESOLVED:

that the renewal of the lease of municipal property, being a portion of Erf 4771 Hermanus, to Tasoclox (Pty) Ltd for the purpose of managing a kiosk/restaurant at Grotto Beach, Hermanus for a period of 2 (TWO) years from 1 October 2018 at the monthly rental amount of R4,707.85 (FOUR THOUSAND SEVEN HUNDRED AND SEVEN RAND AND EIGHTY FIVE CENTS) (VAT excluded) per month plus the escalation to be determined on 1 July 2018 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**, subject to:

- (a) Council approving a deviation from paragraphs 18 and 24 of the Administration of Immovable Property Policy of 2015;
- (b) a public participation process being followed; and
- (c) if any objections to the renewal of the lease agreement are received, the matter be referred back to the Executive Mayor for consideration.

RECOMMENDATION TO THE COUNCIL:

- 1. that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to renew the current lease agreement with Tasoclox (Pty) Ltd for a further period of 2 (TWO) years without following a competitive process, **be approved**; and

2. that the deviation from paragraph 24 of the Administration of Immovable Property Policy in order to renew the current lease agreement with Tasoclox (Pty) Ltd without having a new market related valuation being done, **be approved.**

RESPONSIBLE OFFICIAL : M ERASMUS

TARGET DATE FOR IMPLEMENTATION : 30 JULY 2018

TARGET DATE TO INFORM APPLICANT : 19 JULY 2018

TARGET DATE TO INFORM OBJECTOR : N/A

6.

HERMANUS: IN PRINCIPLE APPROVAL FOR THE ALIENATION OF A PORTION OF THE REMAINDER OF ERF 4771 HERMANUS ADJACENT TO ERF 2737 HERMANUS TO BRUCE NEIL ROYDEN HUXTER

7/2/3/2

**N Liebenberg
23 May 2018**

(028) 316 - 3724**Hermanus Administration**

EXECUTIVE SUMMARY

To obtain approval in principle for the direct alienation of a portion of the remainder of Erf 4771 Hermanus, adjacent to Erf 2737 Hermanus ($\pm 295,8\text{m}^2$ in extent) as situated in 146 8th Street, Voëlklip, Hermanus, to the owner of Erf 2737 Hermanus, being Bruce Neil Royden Huxter.

RECOMMENDATION TO THE COUNCIL:

1. that the direct alienation of a portion of the remainder of Erf 4771 Hermanus, adjacent to Erf 2737 Hermanus, ($\pm 295,8\text{m}^2$ in extent) to the owner of the adjoining erf, Bruce Neil Royden Huxter, at an amount of R666.78/m² (SIX HUNDRED AND SIXTY SIX RAND AND SEVENTY EIGHT CENTS PER SQUARE METER) (VAT excluded) for safety and access purposes be **approved in principle**;
2. that it be noted that a condition for alienation will be that there will be no construction allowed on the subject portion of the remainder of Erf 4771 Hermanus besides a boundary fence or wall;
3. that Council take cognisance of the fact that the direct alienation is only possible as subject portion of the remainder of Erf 4771 Hermanus applied for can be classified as a non-viable property;
4. that the abovementioned approval in principle be subject to a public participation process being followed at the cost of the Applicant due to the non-viability of the property;
5. that it be noted that a condition for alienation will be that the subject portion of the remainder of Erf 4771 Hermanus must be consolidated with the adjoining property of BNR Huxter, being Erf 2737 Hermanus;
6. that the alienation of the subject portion of the remainder of Erf 4771 Hermanus, be subject to obtaining the necessary closure of public place, subdivision and consolidation and rezoning approvals;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, subdivision and consolidation, closure of public space, rezoning, transfer and related costs, advertisement, etc, be paid by the Applicant; and

8. 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).

RESPONSIBLE OFFICIAL : N LIEBENBERG
TARGET DATE FOR IMPLEMENTATION : PROCESS
TARGET DATE TO INFORM APPLICANT: 11 JULY 2018
TARGET DATE TO INFORM OBJECTOR: N/A

The meeting adjourned at 10:20

DATE

D COETZEE – EXECUTIVE MAYOR