



**ORDINARY MEETING OF THE MAYORAL  
COMMITTEE**

**GEWONE VERGADERING VAN DIE  
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI  
KASODOLOPHU**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 27 MARCH / MAART / MATSHI  
2019**

**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 MARCH 2019, 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 D Lakey, Acting Director : Community Services  
Ms D Arrison, Director : Management Services  
Mr N Michaels, Director : Protection Services  
Mr S Müller, Director : Infrastructure & Planning  
Mr H Blignaut, Deputy Director : Engineering Services  
Ms A le Roux, Manager : Property Administration  
Mr R Kuchar, Senior Manager : Town Planning  
Ms R Louw, Senior Manager : Strategic Services  
Mr B King, Senior Manager : Financial Services  
Ms N Zweni, Manager : Communication  
Ms S Swart: Administrative Officer : Council Support Services  
ICT  
Ms G Erasmus, Clerk : Auditorium  
Ms M de Villiers : Mayoral Committee Secretary  
Ms D Laing, Relief Clerk : Auditorium

**ALSO PRESENT:** Members of the Public

---

**MINUTES/.....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING  
27 MARCH 2019

| 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               | C. May    |
| MOLEFE, B            |           |
| MSWELI, X            |           |
| NTSABO, L            |           |
| NUTT R               |           |
| OPPERMAN, M          |           |
| ORBAN, J             |           |
| PUNGUPUNGU, V        |           |
| RESANDT, C           |           |
| SAPEPA, NM           |           |
| TAFU-NWONKWO, CC     |           |
| TEBELE, S            |           |

~~NUTT, R~~

**1. OPENING**

The Executive Mayor, Ald D Coetzee, opened the meeting and welcomed the New Democratic Alliance proportional councillor, Cllr Ronald Nutt. Cllr Nutt opened with prayer. 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 February 2019 at 10:00**

**RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 27 February 2019 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) : FEBRUARY 2019**

8/2/2

C Le Roux

(028) 313 8107

Corporate Head Office

08 March 2019

---

**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 February 2019.

**RECOMMENDATION TO THE COUNCIL:**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for February 2019, **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 February 2019, **be noted**.

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

6.  
**CONSIDERATION OF THE 2017/18 ANNUAL REPORT AND ADOPTION OF AN OVERSIGHT REPORT**

5/15/1/1

R Louw

(028) 313 8071

Hermanus Administration

11 March 2019

---

**EXECUTIVE SUMMARY**

The purpose of this report is to consider the 2017/18 Annual Report and to adopt an Oversight Report. **FOR PURPOSES OF CONSIDERING THIS ITEM COUNCILLORS ARE REQUESTED TO ALSO REFER TO THE ANNUAL REPORT, WHICH WAS TABLED ON 22 JANUARY 2019.**

**RECOMMENDATION TO THE COUNCIL:**

that, in terms of Section 129 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) and having duly considered the 2017/18 Annual Report of the Overstrand Municipality and the content of this item, the said report **be approved** without reservation.

**RESPONSIBLE OFFICIAL :**

**R LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**NOT APPLICABLE**

7.  
DRAFT INTEGRATED DEVELOPMENT PLAN (IDP) REVIEW 2019/20

2/12/1

R Louw

12 March 2019

(028) 313 8071

Corporate Head Office

---

**EXECUTIVE SUMMARY**

The purpose of this report is to table the draft reviewed IDP for the 2019/20 financial year. This will be the 2<sup>nd</sup> reviewed document for the 2017/2021 IDP cycle.

**RECOMMENDATION TO THE COUNCIL:**

1. that the draft reviewed IDP for 2019/20 **be noted**; and
2. that the draft IDP review **be advertised** for public comment in order for Council to consider the final document during the May 2019 Council meeting.

**RESPONSIBLE OFFICIAL :**

**R LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

8.  
DRAFT WATER SERVICES DEVELOPMENT PLAN FOR 2019/20

1/1/6

H Blignaut

(028) 313 5047

Corporate Head Office

12 March 2019

---

**EXECUTIVE SUMMARY**

The purpose of this report is to table the Draft Water Services Development Plan or IDP Sector Input Report (WSDP) for the 2019/20 financial year.

**RECOMMENDATION TO THE COUNCIL:**

1. that the Draft Water Services Development Plan (WSDP) for 2019/20 be **noted**; and
2. that it furthermore **be noted** that the Final Draft WSDP for 2019/20, with inputs from the public and other stakeholders taken into account, is to be considered for approval at the Council meeting in May 2019.

**RESPONSIBLE OFFICIAL :**

**H BLIGNAUT**

**TARGET DATE FOR IMPLEMENTATION :**

**1 JULY 2019**

**TARGET DATE TO INFORM APPLICANT :**

**NOT APPLICABLE**

**TARGET DATE TO INFORM OBJECTOR :**

**NOT APPLICABLE**



**9.  
DRAFT BUDGET FOR 2019/2020, INDICATIVE BUDGET FORECASTS FOR  
2020/2021 TO 2021/2022 AND DRAFT BUDGET RELATED POLICIES**

**5/1/1/21-2019/2020**

**BA King**

**(028) 313 8154**

**Corporate Head Office**

**18 March 2019**

---

**EXECUTIVE SUMMARY**

The purpose of this report is to table the Draft Budget for 2019/2020, indicative budget forecasts for 2020/2021 to 2021/2022 and draft budget related policies.

**RECOMMENDATION TO THE COUNCIL:**

1. that the tabling of the Draft Budget for 2019/2020, indicative budget forecasts for 2020/2021 to 2021/2022 and the draft budget related policies **be noted**; and
2. that it be further noted that the Final Budget for 2019/2020 and the Indicative Budget Forecast for 2020/2021 and 2021/2022, with inputs from the public and other stakeholders taken into account, are to be considered for approval at the Council meeting in May 2019.

**RESPONSIBLE OFFICIALS :**

**S REYNEKE-NAUDE  
BA KING**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

**10.  
DRAFT SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
FOR 2019/20**

**5/15/1/1**

**R Louw**

**(028) 313 8071**

**Corporate Head Office**

**12 March 2019**

---

**EXECUTIVE SUMMARY**

The purpose of this report is to notify Council of the Draft Service Delivery and Budget Implementation Plan (SDBIP) for 2019/20.

**RECOMMENDATION TO THE COUNCIL:**

that the draft Service delivery and Budget Implementation plan (SDBIP) for 2019/20 **be noted.**

**RESPONSIBLE OFFICIAL :**

**R LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**NOT APPLICABLE**

11.  
**SIGNED REVISED PERFORMANCE PLANS OF THE SECTION 54A AND 56 APPOINTEES FOR 2018/19**

2/12/1

R Louw

(028) 313 8071

Corporate Head Office

12 March 2019

---

**EXECUTIVE SUMMARY**

The purpose of this report is for Council to note the signed revised performance plans of the Section 54A and 56 appointees (Municipal Manager and Directors) for the 2018/19 financial year.

**RECOMMENDATION TO THE COUNCIL:**

that the signed revised performance plans of the Section 54A and 56 appointees for 2018/19 **be noted**.

**RESPONSIBLE OFFICIAL :**

**R LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**27 MARCH 2019**

**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,  
Cllrs M Opperman & N Nqinata**

**PORTEFEULJEKOMITEE :**

**BESTUURSDIENSTE**

**Voorsitter :**

**Rdl A Komani**

**Komiteelede :**

**Rdh M Sapepa,  
Rdle M Opperman & N Nqinata**

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

**PORTFOLIO COMMITTEE :**

**PROTECTION SERVICES, ECONOMIC DEVELOPMENT  
& TOURISM**

**Chairperson :**

**Cllr E Gillion**

**Committee Members :**

**Cllrs C Resandt, G Cohen,  
V Macotha & C Tafo-Nwonkwo**

**PORTEFEULJEKOMITEE :**

**BESKERMINGSDIENSTE, EKONOMIESE  
ONTWIKKELING & TOERISME**

**Voorsitter :**

**Rdl E Gillion**

**Komiteelede :**

**Rdle C Resandt, G Cohen,  
V Macotha & C Tafo-Nwonkwo**



**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.  
**PERFORMANCE REPORT: BASIC SERVICE DELIVERY WITHIN THE  
DIRECTORATE COMMUNITY SERVICES FOR THE PERIOD 01 JULY 2018 UNTIL  
31 DECEMBER 2018**

17/9/1/1

M Bartman

(028) 313 8982

Hermanus Administration

05 February 2019

---

**EXECUTIVE SUMMARY**

To inform Council of the basic service delivery activities performed during the period of 1 July 2018 until 31 December 2018.

**RESOLVED:**

that the report **be noted**.

**RESPONSIBLE OFFICIAL :**

**M BARTMAN  
D VAN RHODIE  
J DE VILLIERS  
T STEENBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**ONGOING**

2.  
**DRAFT BY-LAW RELATING TO TREES**

17/6/B

L Rainbird  
25 February 2019

(028) 313 8923

Hermanus Administration

---

**EXECUTIVE SUMMARY**

The purpose of this report is for Council to adopt the proposed By-law relating to Trees in terms of Section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), hereafter referred to as "*the MSA*".

The proposed By-law was introduced as is provided for in terms of Section 12(1) of the MSA and Council's By-law on Rules of Order for Internal Arrangements, P.N. 7188 of 2013. The necessary permission was obtained to publish the proposed by-law in the press in order to give the public an opportunity to make representations.

**RECOMMENDATION TO THE COUNCIL:**

1. that, in terms of section 156(2) of the Constitution of the Republic of South Africa 1996, read with section 11(3)(m) of the Local Government Municipal Systems Act, No 32 of 2000, the draft By-law relating to Trees **be adopted**; and
2. that, in terms of section 13(a) of the Local Government Municipal Systems Act No 32 of 2000, the By-law relating to Trees **be promulgated** in the Provincial Gazette.

**RESPONSIBLE OFFICIAL:**

**L RAINBIRD**

**TARGET DATE FOR IMPLEMENTATION :**

**IMMEDIATELY SUBSEQUENT TO  
PUBLICATION IN THE  
PROVINCIAL GAZETTE**

**3.  
TRANSFER: OVERSTRAND MUNICIPALITY TO ZENDOLINE DOSMAY DE  
VILLIERS: ERF 1029, HAWSTON**

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

27 February 2019

---

**EXECUTIVE SUMMARY**

This report is to request the Council to, in terms of its delegated authority to grant permission for the transfer of Erf 1029, Hawston, to Zendoline Dosmay De Villiers.

**RECOMMENDATION TO THE COUNCIL:**

1. that permission **be granted** to transfer erf 1029, Hawston to Ms Zendoline Dosmay De Villiers;
2. that the aforementioned consent to transfer be subject to Ms Zendoline Dosmay De Villiers accepting responsibility for the outstanding municipal services account in respect of erf 1029, Hawston; and
3. that the aforementioned consent to transfer be subject to a usufruct being granted in favour of Ms Rachel Malan.

**RESPONSIBLE OFFICIAL :**

**FW FRANS**

**TARGET DATE FOR IMPLEMENTATION :**

**01 APRIL 2019**

4.

**HOUSING: PROGRESS REPORT ON THE UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME (UISP) : SITES C1 AND C2: ZWELIHLE**

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

01 March 2019

---

**EXECUTIVE SUMMARY**

This report is to inform the Executive Mayor of the progress with regard to the housing projects developed in terms of the UISP at sites C1 and C2, Zwelihle.

**RESOLVED:**

that the report with regard to the status of the housing projects in terms of the Upgrading of Informal Settlements Programme (UISP) at Sites C1 & C2, Zwelihle **be noted**.

**RESPONSIBLE OFFICIAL :****FW FRANS****TARGET DATE FOR IMPLEMENTATION :****N/A**

5.  
**TRANSFER: OVERSTRAND MUNICIPALITY TO MKHUSELI AND QUEEN  
MNYAKA: ERF 477, ZWELIHLE**

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

27 February 2019

---

**EXECUTIVE SUMMARY**

This report is to request Council to grant permission for the transfer of Erf 477, Zwelihle, to Mr Mkhuseleli and Ms Queen Mnyaka.

**RECOMMENDATION TO THE COUNCIL:**

1. that permission **be granted** to transfer erf 477, Zwelihle to Mr Mkhuseleli Mnyaka (ID Number 7503095816084) and Ms Queen Mnyaka; and
2. that the aforementioned approval furthermore be subject to Mr Mkhuseleli and Ms Queen Mnyaka (ID Number 8706131066080) accepting responsibility for the outstanding municipal services account in respect of erf 477, Zwelihle.

**RESPONSIBLE OFFICIAL :**

**FW FRANS**

**TARGET DATE FOR IMPLEMENTATION :**

**01 APRIL 2019**

**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: JANUARY 2019 –  
FEBRUARY 2019**

**15/3/11**

**R van Antwerp  
11 February 2019**

**(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 January 2019 – 11 February 2019.

**RESOLVED:**

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 11 January 2019 – 11 February 2019:

Spatial Land Use Management Act (SPLUMA) Approvals

|     |                                |                  |
|-----|--------------------------------|------------------|
| 1.  | Erf 2159, Pearly Beach         | 8 January 2019   |
| 2.  | Erf 486, Gansbaai              | 17 January 2019  |
| 3.  | Erf 2294, Pearly Beach         | 17 January 2019  |
| 4.  | Erf 2359, Pearly Beach         | 17 January 2019  |
| 5.  | Erf 1313, Hermanus             | 18 January 2019  |
| 6.  | Erf 5929, Hermanus             | 18 January 2019  |
| 7.  | Erf 58, Stanford               | 18 January 2019  |
| 8.  | Erf 957, Stanford              | 18 January 2019  |
| 9.  | Erf 2331, Pearly Beach         | 18 January 2019  |
| 10. | Erf 1746, Sandbaai             | 22 January 2019  |
| 11. | Erf 7349, Kleinmond            | 22 January 2019  |
| 12. | Erf 527, Gansbaai              | 22 January 2019  |
| 13. | Erf 2269, Onrustrivier         | 30 January 2019  |
| 14. | Erf 1079, Vermont              | 30 January 2019  |
| 15. | Erf 1909, Vermont              | 30 January 2019  |
| 16. | Erven 117 and 118, Fisherhaven | 30 January 2019  |
| 17. | Erf 4599, Onrustrivier         | 30 January 2019  |
| 18. | Erf 2344, Pearly Beach         | 30 January 2019  |
| 19. | Erf 8806, Zwelihle             | 30 January 2019  |
| 20. | Erf 2100, Vermont              | 30 January 2019  |
| 21. | Erf 1653, Hawston              | 11 February 2019 |
| 22. | Erf 2064, Onrustrivier         | 11 February 2019 |
| 23. | Erven 193 and 12254, Hermanus  | 12 February 2019 |

Municipal Planning Tribunal

- |                                  |                 |
|----------------------------------|-----------------|
| 1. Erven 1599 and 2461, Sandbaai | 24 January 2019 |
| 2. Erf 1638, Sandbaai            | 24 January 2019 |
| 3. Erf 2028, Onrustrivier        | 24 January 2019 |
| 4. Erf 4655, Onrustrivier        | 24 January 2019 |

**RESPONSIBLE OFFICIAL :****R VAN ANTWERP****TARGET DATE FOR IMPLEMENTATION :****10 APRIL 2019****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

2.

**ERVEN 193 AND 12254, 77 & 79 CHURCH STREET, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: DEVIATION FROM THE OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK: MESSRS PLANACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF THE L & R FAMILY TRUST**

**193 & 12254 HWC (3961)**

**H van der Stoep**

**13 February 2019**

**(028) 313 8900**

**Hermanus Administration**

### **EXECUTIVE SUMMARY**

To consider an application received on 28 March 2018 from Messrs PlanActive Town- and Regional Planners on behalf of The L & R Family Trust, the owners of Erven 193 and 12254, Hermanus in order to deviate from the Spatial Development Framework, 2006 (SDF) and the Growth Management Strategy 2010 (GMS) in order to change the reservation of Erf 193, Hermanus from single residential usage to business usage.

### **RECOMMENDATION TO THE COUNCIL:**

that the application to deviate from the Overstrand Spatial Development Framework, 2006 in order to change the reservation of Erf 193, Hermanus from single residential usage to commercial/medical consultation uses, as well as to deviate from the Growth Management Strategy, 2010 in order to change the reservation of Erf 193, Hermanus from single residential usage to business usage, in terms of the provisions of Section 22(2) of the Spatial Planning Land Use Management Act, **be approved.**

**RESPONSIBLE OFFICIAL :**

**H VAN DER STOEP**

**TARGET DATE FOR IMPLEMENTATION :**

**10 APRIL 2019**

**TARGET DATE TO INFORM APPLICANT :**

**10 APRIL 2019**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

3.

**ERVEN 1599 AND 2461, COVE CRESCENT (SANDY COVE) AND BERGSIG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA: DEVIATION FROM THE OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK AND OVERSTRAND MUNICIPAL SPATIAL GROWTH MANAGEMENT STRATEGY**

**1599 & 2461 HSB (3846)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**13 February 2019**

**EXECUTIVE SUMMARY**

To consider an application in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000) received on 10 November 2017 from Messrs WRAP on behalf of Hermanuprop CC applicable to Erven 1599 and 2461, Sandbaai to deviate from the Overstrand Spatial Development Framework, 2006 (SDF) in order to change the reservation of Erf 2461, Sandbaai from residential purposes to industrial purposes, as well as to deviate from the Overstrand Municipal Spatial Growth Management Strategy, 2010 (GMS) in order to change the reservation of the said property from a densification grading to a local economic industrial opportunity reservation.

**RECOMMENDATION TO THE COUNCIL:**

that the application to deviate from the Overstrand Spatial Development Framework, 2006 in order to change the reservation of Erf 2461, Sandbaai from residential purposes to industrial purposes, as well as to deviate from the Overstrand Municipal Spatial Growth Management Strategy, 2010 in order to change the reservation of the said property from a densification grading to a local economic industrial opportunity reservation, in terms of the provisions of Section 22(2) of the Spatial Planning Land Use Management Act, **be approved.**

**RESPONSIBLE OFFICIAL :**

**H VAN DER STOEP**

**TARGET DATE FOR IMPLEMENTATION :**

**10 APRIL 2019**

**TARGET DATE TO INFORM APPLICANT :**

**10 APRIL 2019**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

4.  
**HERMANUS, STANFORD: APPROVAL FOR THE ALIENATION AND TRANSFER OF SEVERAL PORTIONS OF LAND TO THE DEPARTMENT OF TRANSPORT AND PUBLIC WORKS (WESTERN CAPE) FOR THE UPGRADE OF TRUNK ROAD 28/2 BETWEEN HERMANUS AND STANFORD**

*7/2/3/2/*

A Le Roux  
 15 January 2019

(028) 316 - 3724

Hermanus Administration

**EXECUTIVE SUMMARY**

To obtain approval for the alienation and transfer of several portions of municipal owned land as well as land vesting in the Overstrand Municipality to the Western Cape Government (Department of Transport and Public Works) ("DTPW") for the upgrading of Trunk Road 28/2 between Hermanus and Stanford.

The relevant portions of properties are as follows:

|    | <u>Erf number</u>          | <u>Size</u>          |
|----|----------------------------|----------------------|
| 1. | Erf 5327 Hermanus          | ±555m <sup>2</sup>   |
| 2. | Erf 4831 Hermanus          | ±28475m <sup>2</sup> |
| 3. | Erf 4831 Hermanus          | ±2892m <sup>2</sup>  |
| 4. | Erf 4833 Hermanus          | ±3074m <sup>2</sup>  |
| 5. | Remainder Erf 294 Stanford | ±1548m <sup>2</sup>  |
| 6. | Erf 594 Stanford           | ±688m <sup>2</sup>   |
| 7. | Erf 1177 Stanford          | ±662m <sup>2</sup>   |

**RECOMMENDATION TO THE COUNCIL:**

1. that the direct alienation (sale) and transfer of the following properties to the Western Cape Government (Department of Transport and Public Works) for road widening purposes **be approved**;
  - (a) a portion of Erf 5327 Hermanus, ±555m<sup>2</sup> in extent, at payment of a market related purchase price of R100.00/m<sup>2</sup> (ONE HUNDRED RAND PER SQUARE METRE) (VAT excluded);
  - (b) a portion of Erf 4831 Hermanus, ±28475m<sup>2</sup> in extent, at payment of a market related purchase price of R20.00/m<sup>2</sup> (TWENTY RAND PER SQUARE METRE) (VAT excluded);

- (c) a portion of Erf 4831 Hermanus,  $\pm 2892\text{m}^2$  in extent, at payment of a market related purchase price of R20.00/m<sup>2</sup> (TWENTY RAND PER SQUARE METRE) (VAT excluded);
  - (d) a portion of Erf 4833 Hermanus,  $\pm 3074\text{m}^2$  in extent, at payment of a market related purchase price of R15.00/m<sup>2</sup> (FIFTEEN RAND PER SQUARE METRE) (VAT excluded);
  - (e) a portion of Remainder Erf 294 Stanford,  $\pm 1548\text{m}^2$  in extent, at payment of a market related purchase price of R5.00/m<sup>2</sup> (FIVE RAND PER SQUARE METRE) (VAT excluded);
  - (f) a portion of Erf 594 Stanford,  $\pm 688\text{m}^2$  in extent, at payment of a market related purchase price of R50.00/m<sup>2</sup> (FIFTY RAND PER SQUARE METRE) (VAT excluded);
  - (g) a portion of Erf 1177 Stanford,  $\pm 662\text{m}^2$  in extent, at payment of a market related purchase price of R5.00/m<sup>2</sup> (FIVE RAND PER SQUARE METRE) (VAT excluded);
2. that the following portions of properties revert back to the Overstrand Municipality at the cost of the Western Cape Government (Department of Transport and Public Works):
- (a) a portion of Erf 4833 Hermanus,  $\pm 2839\text{m}^2$  in extent, at a value of R3.75/m<sup>2</sup> (ONE HUNDRED RAND PER SQUARE METRE) (VAT excluded);
  - (b) a portion of Erf 4831 Hermanus,  $\pm 7748\text{m}^2$  in extent, at a value of R5.00.00/m<sup>2</sup> (ONE HUNDRED RAND PER SQUARE METRE) (VAT excluded);
  - (c) a portion of Erf 4831 Hermanus,  $\pm 223\text{m}^2$  in extent, at a value of R5.00.00/m<sup>2</sup> (ONE HUNDRED RAND PER SQUARE METRE) (VAT excluded);
3. that the amounts listed in 1(a) to (g) and 2(a) to (c) be paid to the Municipality in lieu of final settlement of the purchase price;
4. that a condition be registered in the title deeds of the said portions of properties to be alienated and transferred that no structures of any kind may be erected thereon;
5. that the alienation and transfer of the said portions of properties be subject to obtaining the necessary subdivision, rezoning and consolidation approvals;

6. that the costs of the valuation, subdivision and possible consolidation, rezoning, transfer of and cancellation of endorsements against the properties and the related costs be paid by the Western Cape Government (Department of Transport and Public Works);
7. that, where necessary, servitudes be registered in favour of and to the satisfaction of the Overstrand Municipality in relation to any existing services on the properties, at the cost of the Western Cape Government (Department of Transport and Public Works);
8. that a condition be included in the Deed of Sale that the Western Cape Government (Department of Transport and Public Works), its agents and contractors must at own cost attend to the relocation of services where requested;
9. that a condition be included in the Deed of Sale that the sale of the portions situated in the Fernkloof Nature Reserve be subject to the successful de-proclamation thereof OR be subject to the Western Cape Government: Department of Environmental Affairs and Development Planning providing written confirmation that it is not necessary to attend to a de-proclamation; and
10. that it be noted that the portions of municipal properties envisaged to be alienated are not required for the provision of the minimum level 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).

|   |                      |
|---|----------------------|
| <b>RESPONSIBLE OFFICIAL :</b>           | <b>A LE ROUX</b>     |
| <b>TARGET DATE FOR IMPLEMENTATION:</b>  | <b>N/A</b>           |
| <b>TARGET DATE TO INFORM APPLICANT:</b> | <b>17 APRIL 2019</b> |
| <b>TARGET DATE TO INFORM OBJECTOR:</b>  | <b>N/A</b>           |

**The meeting adjourned at 11:12**

---

**DATE**

---

**D COETZEE – EXECUTIVE MAYOR**