



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 29 NOVEMBER / NOVEMBA 2017

**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 29 NOVEMBER 2017, AT 10:00

PRESENT:

Councillors were present as per attached attendance register.

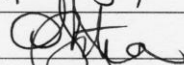
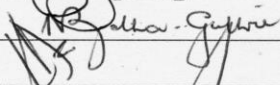


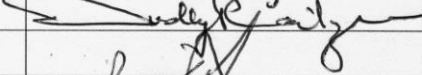







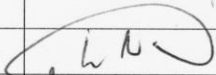
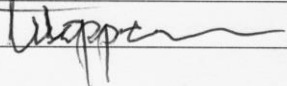
OFFICIALS PRESENT:

Mr C Groenewald, Municipal Manager
Ms S Reyneke-Naudé, Director : Finance
Mr R Williams, Director : Community Services
Mr S Madikane, Director : LED
Ms D Arrison, Director : Management Services
Mr N Michaels, Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Mr C le Roux, Deputy Director : Finance
Mr F Myburgh, Senior Manager : Gansbaai
Administration
Mr M Bartman, Deputy Director : Community Services
Ms C Resandt, Communication Officer
Ms A le Roux, Manager : Property Administration
Mr R Kuchar, Senior Manager : Town Planning
Ms M Erasmus, Principal Clerk : Properties
Mr D van der Heever, Internal Audit Executive
Ms H van Tonder, Manager : Council Support Services
Mr J de Villiers, Senior Manager : Operational Services
Ms R Louw, Senior Manager : Strategic Services
Mr B King, Senior Manager : Financial Services
Mr R Fraser, Chief : Traffic/Licences
Mr L Smith, Chief: Fire & Rescue & Disaster
Management
Mr A Stali, Manager : Sport & Recreation
Ms C Swartz, Accountant : Credit Control
Ms A Geldenhuys, Manager : Rates & Services
Mr A Gcotyelwa, Housing Officer Acting as Interpreter
Ms S Carelse, PRO : Executive Mayor
Ms S Swart: Administrative Officer : Council Support
Services
ICT
Mr W Louw, Risk Officer (Intern)
Ms M de Villiers : Mayoral Committee Secretary
Ms G Erasmus, Clerk : Auditorium
Ms D Laing, Relief Clerk : Grade 2
Members of the Public

ALSO PRESENT:

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING
29 NOVEMBER 2017

| ALDERMAN/COUNCILLORS | SIGNATURE |
|----------------------|--|
| AFRICA, F | Apology |
| 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 |  |
| PUNGUPUNGU, V | |
| SAPEPA, NM | |
| SMITH, RJ | Apology |
| TAFU-NWONKWO, CC | |
| TEBELE, S | |

1. OPENING

Ald D Coetzee acted as Executive Mayor and opened the meeting with prayer.

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

2. APPLICATIONS FOR LEAVE OF ABSENCE

Ald R Smith

RESOLVED

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

Cllr F Africa

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, 25 October 2017 at 10:00**

RESOLVED

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 25 October 2017 at 10:00, be confirmed.**

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

The Chairperson, Ald D Coetzee, informed the meeting that the Executive Mayor, Ald R Smith, will be admitted to hospital today for a medial procedure.

5.
**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR OCTOBER 2017**

8/2/2

C Le Roux

(028) 313 8107

Corporate Head Office

06 November 2017

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 October 2017.

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for October 2017, **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 October 2017, **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

6.
AMENDMENTS TO THE 2017/2018 SUPPLY CHAIN MANAGEMENT POLICY

5/13/B

C Le Roux

2017/11/16

(028) 313 8107

Hermanus Administration

EXECUTIVE SUMMARY

The purpose of this report is to present Council with amendments to the Supply Chain Management Policy.

RECOMMENDATION TO THE COUNCIL:

that the amended Supply Chain Management Policy for 2017/2018 **be adopted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

1 DECEMBER 2017

7.

WRITING OFF OF NON-TECHNICAL WATER AND ELECTRICITY LOSSES

5/17/2

S Müller

(028) 313 8019

Hermanus Administration

4 October 2017

EXECUTIVE SUMMARY

National Treasury issued guidelines (MFMA Circular No. 70, December 2013) on how to deal with non-revenue water and electricity. Annexure B of Circular No 70 provides guidance on the accounting treatment of non-technical losses and mentions that a council resolution is required to write off the losses.

RECOMMENDATION TO THE COUNCIL:

1. that the non-technical electricity losses to the value of R4 002 006 for the 2016/17 financial year be written off; and
2. that the non-technical water losses to the value of R2 210 719 for the 2016/17 financial year be written off.

RESPONSIBLE OFFICIAL :**BA KING****TARGET DATE FOR IMPLEMENTATION :****30 NOVEMBER 2017**

**8.
RENEWAL OF THE LEASE AGREEMENT BETWEEN OVERSTRAND MUNICIPALITY (THE LESSEE) AND THE OVERBERG DISTRICT MUNICIPALITY (THE LESSOR) FOR THE LETTING OF A PORTION OF PORTION 79 (A PORTION OF PORTION 1) OF THE FARM AFDAKSRIEVER NO. 575**

8/3/1

H Blignaut

(028) 313 5047

Hermanus Administration

15 November 2017

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation with regard to the renewal of the lease agreement between Overstrand Municipality as the lessee and the Overberg District Municipality as the lessor for the letting of a portion of Portion 79 (a portion of Portion 1) of the farm Afdaksrivier no. 575, to enable Council to take an informed decision whether to approve the renewal of the lease in terms of section 33 of the Local Government: Municipal Finance Management Act, 2003 (Act no. 56 of 2003) (MFMA).

RECOMMENDATION TO THE COUNCIL:

1. that Council takes cognisance of the response received from Overberg District Municipality to the request for comments, representations, views and recommendations in respect of the renewal of the lease agreement between Overstrand Municipality as the lessee and Overberg District Municipality in respect of a portion of Portion 79 (a portion of Portion 1) of the farm Afdaksrivier no. 575, in terms of the enabling provisions of Section 33 of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003);
2. that Council determines that Overstrand Municipality will secure a significant capital investment and derive a significant economic financial benefit from the renewal of the lease agreement;
3. that Council approves the renewed lease agreement; and
4. that Council authorises the Municipal Manager to sign a renewal of the lease agreement on behalf of Overstrand Municipality, if necessary.

RESPONSIBLE OFFICIALS :

**H BLIGNAUT
J VAN TAAK**

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2017

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

**9.
ADJUSTMENTS BUDGET 2017/2018 (WESTERN CAPE ADJUSTED ESTIMATES,
2017)**

5/1/19-2017/2018

BA King

(028) 313 8154

Corporate Head Office

23 November 2017

EXECUTIVE SUMMARY

Report prepared in terms of section 28(2)(b) of the Local Government: Municipal Finance Management Act, 2003 (MFMA) for the appropriation of additional revenues that have become available through the Western Cape Adjusted Estimates, 2017.

RECOMMENDATION TO THE COUNCIL:

1. that, in terms of section 28(2)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the Adjustments Budget (WC Provincial allocations and adjusted estimates) for 2017/2018 **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 :

30 NOVEMBER 2017

**10.
REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FOR 2017/18**

9/1/2/5

R Louw

(028) 313 8071

Corporate Head Office

15 November 2017

EXECUTIVE SUMMARY

The purpose of this report is to submit a revised Service Delivery and Budget Implementation Plan (SDBIP) for 2017/18 to Council for approval.

RECOMMENDATION TO THE COUNCIL:

1. that the revised SDBIP for 2017/18 **be approved**;
2. that the amendments to the Departmental and Top Layer SDBIP for 2017/18 **be approved**; and
3. that the revised SDBIP for 2017/18 **be made public**.

RESPONSIBLE OFFICIAL :

R LOUW

TARGET DATE FOR IMPLEMENTATION :

4 DECEMBER 2017

PORTFOLIO COMMITTEE :

FINANCE

Acting Chairperson :

Cllr R de Coning

Committee Members :

**Cllrs K Brice,
S Tebele, X Msweli & B Molefe**

PORTEFEULJEKOMITEE :

FINANSIES

Waarnemende Voorsitter :

Rdl R de Coning

Komiteelede :

**Rdle K Brice,
S Tebele, X Msweli & B Molefe**

1.
WRITING OFF OF IRRECOVERABLE DEBT

5/17/1

EM Hooneberg
 24 April 2017

(028) 313 8149

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of the report is to request Council to approve the writing off of debt that has become irrecoverable.

RECOMMENDATION TO THE COUNCIL:

that the irrecoverable debt to the value of R511 216.02 as listed below, be written off as bad debt:

| | | |
|---|---|---------------------------|
| A | First time write off – Indigent Households | R 63 112.85 |
| B | Indigent water leakages irrecoverable | R303 257.79 |
| C | Final accounts equal or less than R1,500.00 | R 3 463.76 |
| D | Other irrecoverable Debt | R141 381.62 |
| | TOTAL | <u>R511 216.02</u> |

RESPONSIBLE OFFICIAL :

EM HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

08 DECEMBER 2017

PORTFOLIO COMMITTEE :

MANAGEMENT SERVICES

Chairperson :

Cllr R de Coning

Committee Members :

**Ald M Sapepa, Cllrs J Kloppers-Lourens,
M Opperman & N Nqinata**

PORTEFEULJEKOMITEE :

BESTUURSDIENSTE

Voorsitter :

Rdl R de Coning

Komiteelede :

**Rdh M Sapepa, Rdle J Kloppers-Lourens,
M Opperman & N Nqinata**

1.
DRAFT TIME AND ATTENDANCE POLICY

4/2/B

L Bucchianeri
9 October 2017

(028) 3138120

Hermanus Administration

EXECUTIVE SUMMARY

The purpose of this report is to recommend to Council the adoption of the draft Time and Attendance Policy.

The draft Time and Attendance Policy was developed to provide a uniform standard of attendance and punctuality for all employees, which will ensure consistent and effective management of employees' time and attendance at work.

RECOMMENDATION TO THE COUNCIL:

that the Overstrand Municipality: Time and Attendance Policy **be adopted**.

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

NOVEMBER 2017

2.
CODE OF ETHICS FOR MUNICIPAL STAFF

2/B

A Riddles
20 October 2017

(028) 313 5044

Corporate Head Office

EXECUTIVE SUMMARY

To obtain Council's approval for the Code of Ethics for Municipal Staff, that has been reviewed by the Risk Management Committee.

RECOMMENDATION TO THE COUNCIL:

1. that the Code of Ethics for Municipal Staff **be approved**; and
2. that the Code of Ethics Roll-Out Plan **be noted**.

RESPONSIBLE OFFICIAL :

A RIDDLES

TARGET DATE FOR IMPLEMENTATION :

3 JANUARY 2017

PORTFOLIO COMMITTEE :

PROTECTION SERVICES

Acting Chairperson :

Cllr E Gillion

Committee Members :

**Cllrs K Brice, C May,
V Macotha & S Kalolo**

PORTEFEULJEKOMITEE :

BESKERMINGSDIENSTE

Waarnemende Voorsitter :

Rdl E Gillion

Komiteelede :

**Rdle K Brice, C May,
V Macotha & S Kalolo**

1.
**QUARTERLY MONITORING REPORT FOR THE PERIOD JULY TO SEPTEMBER
2017: DIRECTORATE: PROTECTION SERVICES**

5/20

N J Michaels

(028) 313 8054

Corporate Head Office

11 October 2017

EXECUTIVE SUMMARY

To report on the functioning and activities of the Directorate: Protection Services for the period July to September 2017.

RESOLVED:

that the Quarterly Monitoring Report of the functioning and activities of the Directorate: Protection Services for the period July to September 2017, **be noted**.

RESPONSIBLE OFFICIAL :

N MICHAELS

TARGET DATE FOR IMPLEMENTATION :

1 DECEMBER 2017

2.
**OPERATIONAL PLAN: HOLIDAY SEASON 2017/2018 : DIRECTORATE:
PROTECTION SERVICES**

2/1

N J Michaels

(028) 313 8054

Corporate Head Office

11 October 2017

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the operational plan to be implemented in order to ensure that the Directorate: Protection Services effectively manages and maintains safety and security of public facilities and public roads by means of traffic, fire and law enforcement activities during the period 1 December 2017 to 25 January 2018 (Festive Season).

RESOLVED:

that the content of the Operational Plan: Holiday Season 2017/2018 which is to be executed by the Directorate: Protection Services, **be noted**.

RESPONSIBLE OFFICIAL :

N MICHAELS

TARGET DATE FOR IMPLEMENTATION :

1 DECEMBER 2017

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr A Komani

Committee Members :

**Ald N Botha-Guthrie, Cllrs L Ntsabo,
V Pungupungu & S Kalolo**

PORTEFEULJEKOMITEE :

GEMEENSKAPSDIENSTE

Voorsitter :

Rdl A Komani

Komiteelede :

**Rdh N Botha-Guthrie, Rdle L Ntsabo,
V Pungupungu & S Kalolo**

1.
**TRANSFER: OVERSTRAND MUNICIPALITY TO ELIZABETH JANE HANSEN:
ERF 1082, HAWSTON**

17/5/4/1

FW Frans

(028)313 8144

Hermanus Administration

20 October 2017

EXECUTIVE SUMMARY

This report is to request the Council to, in terms of its authority, grant permission for the transfer of Erf 1082, Hawston to Elizabeth Jane Hansen.

RECOMMENDATION TO THE COUNCIL:

1. that the permission **be granted** to transfer of erf 1082, Hawston to Elizabeth Jane Hansen; and
2. that the aforementioned approval furthermore be subject to Elizabeth Jane Hansen accepting responsibility for the outstanding municipal services account in respect of erf 1082, Hawston.

RESPONSIBLE OFFICIAL:

FW FRANS

TARGET DATE FOR IMPLEMENTATION:

01 JANUARY 2018

2.

TRANSFER: OVERSTRAND MUNICIPALITY TO ISAK JACOBUS AND THERESA CATHERINA ALEXANDER : ERF 645, HAWSTON

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

16 October 2017

EXECUTIVE SUMMARY

This report is to request the Council to, in terms of its authority, grant permission for the transfer of erf 645, Hawston, to Isak Jacobus and Theresa Catherina Alexander.

RECOMMENDATION TO THE COUNCIL:

1. that permission be granted to transfer erf 645, Hawston to Isak Jacobus Alexander and Theresa Catherina Alexander;
2. that the aforementioned approval be subject to Isak Jacobus Alexander and Theresa Catherina Alexander accepting responsibility for the municipal services account;
3. that the aforementioned consent to transfer be subject to a usufruct being registered in favour of Mr Richard Alexander; and
4. that it be recommended to the Department of Human Settlements : Western Cape that the original beneficiary, namely Mr Richard Alexander, not be considered for future housing opportunities in the Overstrand.

RESPONSIBLE OFFICIAL :**FW FRANS****TARGET DATE FOR IMPLEMENTATION :****01 JANUARY 2018**

**3.
OVERSTRAND SPORT FESTIVAL: 2017/2018**

17/7/R

A Stali

20 October 2017

(028)313 5030

Hermanus Administration

EXECUTIVE SUMMARY

To inform Council of the plans to host the Overstrand Sport Festival for various sports codes in Overstrand Municipality.

RESOLVED:

that the project plan for Overstrand Sport Festival 2017/2018 **be noted**.

RESPONSIBLE OFFICIAL:

A STALI

TARGET DATE FOR IMPLEMENTATION:

31 MARCH 2018

4.
OPERATIONAL PLAN : HOLIDAY SEASON : 2017/2018

2/1

R Williams
20 October 2017

(028) 313 8029

Hermanus Administration

EXECUTIVE SUMMARY

The purpose of the report is to inform Council of the operational plan to be implemented in order to ensure that the Directorate: Community Services effectively manages and maintains bathing beaches, caravan parks, camping sites and other public facilities that will be visited and utilised by large numbers of visitors during the period from 01 December 2017 until 14 January 2018.

RESOLVED:

that the content of the Operational Plan: Holiday Season: 2017/2018, which is to be executed by the Directorate: Community Services, **be noted**.

RESPONSIBLE OFFICIAL :

**AREA MANAGERS
OPERATIONAL MANAGERS
MANAGER : CORPORATE
PROJECTS**

TARGET DATE FOR IMPLEMENTATION :

1 DECEMBER 2017

5.
**SUBSIDY APPLICATION ON PROCLAIMED MAIN ROADS FOR THE PERIOD :
1 JULY 2018 TO 30 JUNE 2019**

5/6/17

**M Bartman
12 October 2017**

(028) 313 8972

Hermanus Administration

EXECUTIVE SUMMARY

The purpose of this report is to obtain approval for the subsidy application for the maintenance of proclaimed main roads within Overstrand for the period 1 July 2018 to 30 June 2019.

RESOLVED:

that the subsidy application to be submitted to the Provincial Department of Roads and Transport for proclaimed main roads in Overstrand for the 2018/19 financial year in the amount of R240 495.00, **be supported.**

RESPONSIBLE OFFICIAL :

M BARTMAN

TARGET DATE FOR IMPLEMENTATION :

NOVEMBER 2018

6.
BENEFICIARIES : BREAKING NEW GROUND HOUSING PROJECT: HAWSTON

17/5/4/1

FW Frans

(028) 313 8148

Hermanus Administration

20 October 2017

EXECUTIVE SUMMARY

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

RESOLVED:

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

RESPONSIBLE OFFICIAL :

FW FRANS

TARGET DATE FOR IMPLEMENTATION :

N/A

PORTFOLIO COMMITTEE :
ECONOMIC DEVELOPMENT & TOURISM

Chairperson :

Cllr E Gillion

Committee Members :

**Cllrs G Cohen, L Ntsabo,
S Tebele & C Tafu-Nwonkwo**

PORTEFEULJEKOMITEE :
EKONOMIESE ONTWIKKELING & TOERISME

Voorsitter :

Rdl E Gillion

Komiteelede :

**Rdle G Cohen, L Ntsabo,
S Tebele & C Tafu-Nwonkwo**

1.
LOCAL ECONOMIC DEVELOPMENT AND TOURISM QUARTERLY REPORT

9/1/2/2

S Madikane

(028) 313 8066

Corporate Head Office

23 October 2017

EXECUTIVE SUMMARY

This report is to submit the Local Economic Development and Tourism activities in the months July – Sept 2017 for cognisance.

RESOLVED:

that the 1st quarter report (July – Sept 2017) of the Directorate: Local Economic Development, **be noted**.

RESPONSIBLE OFFICIAL :

S MADIKANE

TARGET DATE FOR IMPLEMENTATION :

IMMEDIATELY

**PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING**

Chairperson :

Cllr D Botha

Committee Members :

**Cllrs G Cohen, F Krige,
S Tebele & V Pungupungu**

**PORTEFEULJEKOMITEE :
INFRASTRUKTUUR & BEPLANNING**

Voorsitter :

Rdl D Botha

Komiteelede :

**Rdle G Cohen, F Krige,
S Tebele & V Pungupungu**

1.
**TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
 CONSIDERED IN TERMS OF DELEGATED AUTHORITY : SEPTEMBER/OCTOBER
 2017**

15/3/11

R van Antwerp
 20 October 2017

(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 21 September 2017 – 20 October 2017 as well as an application that served before the Municipal Planning Tribunal on 27 September 2017.

RESOLVED:

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 21 September 2017 – 20 October 2017, as well as the applications that served before the Municipal Planning Tribunal on 27 September 2017:

Spatial Land Use Management Act (SPLUMA) Approvals

| | | |
|-----|---|-----------------|
| 1. | Erf 512, Franskraal | 2 October 2017 |
| 2. | Erf 91, Gansbaai | 2 October 2017 |
| 3. | Erf 7186, Hermanus | 2 October 2017 |
| 4. | Portion 1 of Farm 585 | 11 October 2017 |
| 5. | Erven 1450 and 2861, Sandbaai | 12 October 2017 |
| 6. | Erf 1492, Vermont | 17 October 2017 |
| 7. | Portion 14 of the farm Klein Rivier Kloof No. 660 | 17 October 2017 |
| 8. | Erf 498, Hermanus | 17 October 2017 |
| 9. | Erf 5768, Kleinmond | 17 October 2017 |
| 10. | Erf 2880, Onrustrivier | 18 October 2017 |
| 11. | Erf 562, Hawston | 18 October 2017 |
| 12. | Erf 939, Vermont | 18 October 2017 |

Municipal Planning Tribunal

| | | |
|----|-----------------------|-------------------|
| 1. | Erf 5553, Betty's Bay | 27 September 2017 |
|----|-----------------------|-------------------|

RESPONSIBLE OFFICIAL :**R VAN ANTWERP****TARGET DATE FOR IMPLEMENTATION :****13 DECEMBER 2017****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

2.

ERF 5553, 30 WALLERS ROAD, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: AMENDMENT OF THE OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK : MESSRS PLAN ACTIVE ON BEHALF OF BETTYSBAAI JEUGSENTRUM

5553 KBB (3553)

H van der Stoep

16 October 2017

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

To consider an application received on 13 December 2016 from Messrs Plan Active on behalf of Bettysbaai Jeugsentrum, the owners of Erf 5553, Betty's Bay, in order to amend the Spatial Development Framework, 2006 (SDF) to permit a deviation in order to establish a Frail Care Centre for Alzheimer and Dementia patients.

RECOMMENDATION TO THE COUNCIL:

that the application for the amendment of the Spatial Development Framework, 2006 in order to utilise Erf 5553, Betty's Bay for Community Facility (Frail Care Centre for Alzheimer and Dementia), in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved.**

RESPONSIBLE OFFICIAL :

H VAN DER STOEP

TARGET DATE FOR IMPLEMENTATION :

13 DECEMBER 2017

TARGET DATE TO INFORM APPLICANT :

13 DECEMBER 2017

TARGET DATE TO INFORM OBJECTOR :

13 OCTOBER 2017

3.

**KLEINMOND: PORTION OF ERF 4812 KLEINMOND – MR PETER REIN:
APPLICATION TO PURCHASE**

7/2/3/2

N Liebenberg

(028) 316-3724

Hermanus Administration

29 September 2017

EXECUTIVE SUMMARY

To consider the application of Mr Peter Rein to purchase municipal property, being a portion of Erf 4812 Kleinmond ($\pm 306.15\text{m}^2$ in extent).

RECOMMENDATION TO THE COUNCIL:

that the application of Mr Peter Rein to purchase a portion of Erf 4812 Kleinmond **not be approved** for the following reasons:

- a) the said municipal property will be needed to provide a basic service to the community; and
- b) the said municipal property is assigned for road purposes as per condition of the subdivision.

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

4.

HERMANUS, APPLICATION BY THE MALAN FAMILY TRUST AND PELICAN TRUST TO PURCHASE A PORTION OF THE REMAINDER OF ERF 4771 HERMANUS, ADJACENT TO ERVEN 7149, 7617 & 7618 VOËLKLIP HERMANUS

7/2/5

**N Liebenberg / A le Roux
29 September 2017**

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

EXECUTIVE SUMMARY

To consider the application received from the Malan Family Trust and Pelican Trust to purchase a portion of municipal property, being a portion of remainder of Erf 4771 Hermanus ($\pm 456\text{m}^2$ in extent), adjacent to Erven 7149, 7617 & 7618 Hermanus situated in Sixth Avenue, Voëlklip; Hermanus.

RECOMMENDATION TO THE COUNCIL:

that the application to purchase a portion of the remainder of Erf 4771 Voëlklip Hermanus (portion of Sixth Avenue) adjacent to Erf 7149 and Erven 7617 and 7618 Hermanus received from the Malan Family Trust and the Pelican Trust **not be approved** on the following reasons:

- (a) The applicants already have a guaranteed right of access over the portion of remainder of Erf 4771 Hermanus as it is a public road (extension of Sixth Avenue);
- (b) The applicants have adequate, uninterrupted, unrestricted access to their respective properties as the public is prevented from parking on the public road access by means of the bollards and no parking signage;
- (c) The Municipality currently has a sewerage works pipe line running diagonally across the road and the fencing off of this portion will disturb the Municipality's free access to the pipe line; and
- (d) Should future development in the adjacent area be envisaged in the form of much needed parking, the road could serve as an access road to the public area.

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

5.

HERMANUS: IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF ERF 1 HAWSTON ($\pm 370\text{M}^2$ IN EXTENT) TO HAWSTON SERVICE STATION (PTY) LTD

7/2/3/2

W Murtz

(028) 316 - 3724

Hermanus Administration

9 October 2017

EXECUTIVE SUMMARY

To obtain approval in principle for the direct alienation of a portion of Erf 1 Hawston ($\pm 370\text{m}^2$ in extent) to the owner of the adjacent Erf 412 Hawston (George Viljoen Street), namely Hawston Service Station (Pty) Ltd.

RECOMMENDATION TO THE COUNCIL:

1. that the direct alienation of a portion of Erf 1 Hawston ($\pm 370\text{m}^2$) in extent, to the owner of the adjoining erf, Hawston Service Station (Pty) Ltd, at a market related purchase price as determined by a registered valuer be **approved in principle**;
2. that it be noted that the direct alienation is possible as the subject portion of Erf 1 Hawston is classified as a non-viable property;
3. that, subject to the approval in 1. above, a public participation process be followed at the cost of the Applicant;
4. that it be noted that a condition for the alienation will be that the subject portion of Erf 1 Hawston be consolidated with the adjoining property of Hawston Service Station (Pty) Ltd, being Erf 412 Hawston;
5. that the alienation of a portion of Erf 1 Hawston furthermore be subject to a suspensive condition that the Applicant obtains approval for the road closure, subdivision, consolidation and rezoning of the portion of property;
6. that all the costs pertaining to the transaction, e.g. application fee, valuation costs, road closure, subdivision, consolidation, , rezoning, transfer and related costs, advertisements, etc., be paid by the Applicant; and
7. that it be noted that the municipal property herewith envisaged to be 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 :

W MURTZ

TARGET DATE FOR IMPLEMENTATION:

28 FEBRUARY 2017

TARGET DATE TO INFORM APPLICANT:

22 DECEMBER 2017

TARGET DATE TO INFORM OBJECTOR:

N/A

**6.
ROOI-ELS, A PORTION OF UNREGISTERED ERF 325 (A PORTION OF ERF 324),
LEASE OF MUNICIPAL PROPERTY TO MOBILE TELEPHONE NETWORKS (PTY)
LTD**

7/2/3/1

**M Erasmus
4 October 2017**

(028) 316-3724

Hermanus Administration

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Mobile Telephone Networks (Pty) Ltd, hereafter referred to as "MTN", in respect of a portion of unregistered Erf 325 (a portion of Erf 324) Rooi-Els ($\pm 9,6\text{m}^2$ in extent) for a period of 9 (NINE) years and 11 (ELEVEN) months for telecommunication and related purposes.

RESOLVED:

1. that the lease of a portion of unregistered Erf 325 (a portion of Erf 324) Rooi-Els to Mobile Telephone Networks (Pty) Ltd for telecommunication and related purposes at the rental amount of R513.70 (FIVE HUNDRED AND THIRTEEN RAND AND SEVENTY CENTS) (VAT excluded) for June 2016, a rental amount of R547.39 (FIVE HUNDRED AND FORTY SEVEN RAND AND THIRTY NINE CENTS) (VAT excluded) per month for the 2016/2017 financial year and a rental amount of R580.22 (FIVE HUNDRED AND EIGHTY RAND AND TWENTY TWO CENTS) (VAT excluded) per month for the 2017/2018 financial year for a period of 9 (NINE) years and 11 (ELEVEN) months from 1 June 2016 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 annually on the 1st of July in accordance with the tariffs as determined and approved in the Annual Budget with the next escalation on 1 July 2018.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

31 JANUARY 2018

TARGET DATE TO INFORM APPLICANT :

31 DECEMBER 2017

TARGET DATE TO INFORM OBJECTOR :

N/A

7.

**ROOI-ELS, A PORTION OF UNREGISTERED ERF 325 (A PORTION OF ERF 324),
LEASE OF MUNICIPAL PROPERTY TO VODACOM (PTY) LTD**

7/2/3/1

M Erasmus**(028) 316-3724****Hermanus Administration****5 October 2017**

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Vodacom (Pty) Ltd, hereafter referred to as "Vodacom", in respect of a portion of unregistered Erf 325 (a portion of Erf 324) Rooi-Els ($\pm 16\text{m}^2$ in extent) for a period of 9 (NINE) years and 11 (ELEVEN) months for telecommunication and related purposes.

RESOLVED:

1. that the lease of a portion of unregistered Erf 325 (a portion of Erf 324) Rooi-Els to Vodacom (Pty) Ltd for telecommunication and related purposes at the rental amount of R967.04 (NINE HUNDRED AND SIXTY SEVEN RAND AND FOUR CENTS) (VAT excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months from 1 January 2018 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved.**
2. that the rental amount mentioned in 1 above escalate annually on the 1st of July in accordance with the tariffs as determined and approved in the Annual Budget with the first escalation on 1 July 2018.

RESPONSIBLE OFFICIAL :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****31 JANUARY 2018****TARGET DATE TO INFORM APPLICANT :****31 DECEMBER 2017****TARGET DATE TO INFORM OBJECTOR :****N/A**

8.

KLEINMOND, A PORTION OF ERF 5462: LEASE OF MUNICIPAL PROPERTY TO CHILD WELFARE SOUTH AFRICA (KLEINMOND)

7/2/3/1

M Erasmus

(028) 316-3724

Hermanus Administration

5 October 2017

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Child Welfare South Africa (Kleinmond), hereinafter referred to as "Child Welfare", in respect of municipal property, being a portion of Erf 5462 Kleinmond ($\pm 450\text{m}^2$ in extent) situated in Proteadorp, for the management of the child welfare offices and related purposes.

RESOLVED:

1. that the lease of municipal property, being a portion of Erf 5462 Proteadorp ($\pm 450\text{m}^2$ in extent) situated in Kleinmond to Child Welfare South Africa (Kleinmond) for the purposes of managing an office and related purposes at the rental amount of R131.58 (ONE HUNDRED AND THIRTY ONE RAND AND FIFTY EIGHT CENTS) (VAT excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months as from 1 December 2017 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 :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****30 JANUARY 2018****TARGET DATE TO INFORM APPLICANT :****31 DECEMBER 2017****TARGET DATE TO INFORM OBJECTOR :****N/A**

9.

HERMANUS: TRANSFER OF ERF 189 ZWELIHLE ($\pm 252\text{M}^2$ IN EXTENT) TO ST & S TYELINZIMA FOR RESIDENTIAL PURPOSES

7/2/3/2

W Murtz

(028) 316 - 3724

Hermanus Administration

9 October 2017

EXECUTIVE SUMMARY

To obtain final approval for the transfer of Erf 189 Zwelihle($\pm 252\text{m}^2$ in extent) to Samkelo Theophilus Tyelinzima and his wife, Sikelelwa Tyelinzima, for residential purposes.

RECOMMENDATION TO THE COUNCIL:

1. that the transfer of Erf 189 Zwelihle (252m^2 in extent) to Samkelo Theophilus Tyelinzima and Sikelelwa Tyelinzima for the amount of R80,100.00 (EIGHTY THOUSAND ONE HUNDRED RAND ALONE) (VAT included) for residential purposes, **be approved**;
2. that it be noted that the municipal property envisaged to be transferred is 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); and
3. that Samkelo Theophilus Tyelinzima and Sikelelwa Tyelinzima be responsible for all the cost pertaining to the advertisement of the transfer and all costs involved with the registration of the transfer in the Deeds Office.

RESPONSIBLE OFFICIAL :**W MURTZ****TARGET DATE FOR IMPLEMENTATION :****28 FEBRUARY 2018****TARGET DATE TO INFORM APPLICANT :****22 DECEMBER 2017**

10.**APPOINTMENT OF MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL**

15/3/3/1

R Kuchar

(028) 313 8087

Corporate Head Office

18 October 2017

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider:

- (a) a change in membership for the Municipal Planning Tribunal (MPT);
- (b) to appoint a new Chairperson and Deputy Chairperson.

RECOMMENDATION TO THE COUNCIL:

1. that, in order for the Municipal Manager (Accounting Officer) to lodge appeals against resolutions of the Municipal Planning Tribunal and the Authorised Official, the Municipal Manager's membership of the Municipal Planning Tribunal be terminated forthwith;
2. that the Director : Infrastructure and Planning be appointed as Chairperson and the Director : Community Services as Deputy Chairperson of the Municipal Planning Tribunal; and
3. that the Director : Management Services be appointed as the fifth member of the Municipal Planning Tribunal.

RESPONSIBLE OFFICIAL :**R KUCHAR****TARGET DATE FOR IMPLEMENTATION :****13 DECEMBER 2017**

The meeting adjourned at 10:26

DATE

D COETZEE – ACTING EXECUTIVE MAYOR