



ORDINARY MEETING OF THE COUNCIL

GEWONE VERGADERING VAN DIE RAAD

INTLANGANISO YESIQHELO YEBHUNGA

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 29 NOVEMBER / NOVEMBA 2023

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 COUNCIL MEETING
HELD IN THE BANQUETING HALL, CIVIC CENTRE,
HERMANUS, ON 29 NOVEMBER 2023 AT 10:00**

PRESENT: Councillors were present as per attached attendance register.

OFFICIALS PRESENT: Ms D Arrison, Acting Municipal Manager
Ms S Reyneke-Naudé, Director : Finance
Mr N Michaels, Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Mr S Madikane, Director : LED
Mr R Kuchar, Senior Manager : Town & Spatial Planning
Ms A Le Roux, Manager : Property Administration
Ms N Zweni, Manager : Communications
Ms B Plaatjies, Acting Senior Manager : Kleinmond
Mr R Fraser, Senior Manager : Traffic, Law Enforcement & Task Team
Mr T Louw, Technical Support : Auditorium
Ms M Middleton, Acting Executive Support Officer : Community Services
Ms S Swart, Administrative Officer : Council Support Services

ALSO PRESENT: Members of the Public

MINUTES/....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

COUNCIL MEETING
29 NOVEMBER 2023

ALDERMEN/COUNCILLORS	SIGNATURE
AFRICA, F	
BANDEZA, V	
BRICE, KD	
COETZEE, DP	
COHEN, G	
DE CONING, CA	Virtual 
DEES, RM	
ELS, T	
FOURIE, SH	
GILLION, E	
GRIMBEEK, MD	
GWELE, T	
KOMANI, AS	
LERM, CH	
LOMBARD, H	H Lombard
NGQANDANA, K	
NOMATITI, M	
NOMBULA, BG	
NQINATA, NNT	
NTSABO, L	
NUTT, R	
RABIE, AL	
RESANDT, CT	
SIHLAHLA, M	
TAFU-NWONKWO, CC	
VAN STADEN, JA	
WILLIAMS, SH	

1. OPENING

The Speaker, Cllr G Cohen, opened the meeting and welcomed those present. The Acting Municipal Manager, Ms D Arrison, read the convening notice.

2. APPLICATIONS FOR LEAVE OF ABSENCE

None

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of an **Ordinary Meeting** of the **Overstrand Municipal Council** held on **Wednesday, 25 October 2023** at **10:00**

RESOLVED:

that the Minutes of an **Ordinary Meeting** of the **Overstrand Municipal Council** held on **Wednesday, 25 October 2023** at **10:00** be confirmed.

- 3.2 Minutes of a **Special Meeting** of the **Overstrand Municipal Council** held on **Friday, 3 November 2023** at **10:00**

RESOLVED:

that the Minutes of a **Special Meeting** of the **Overstrand Municipal Council** held on **Friday, 3 November 2023** at **10:00** be confirmed.

4. MATTERS ARISING FROM THE MINUTES

- 4.1 Meeting between Council, SCM and budget holders
4.2 Writing Off of Irrecoverable Debt

Date for the meeting to discuss above-mentioned matters to be established as soon as possible.

5. STATEMENTS AND COMMUNICATIONS BROUGHT FORWARD BY THE SPEAKER / EXECUTIVE MAYOR

The Executive Mayor, Ald A Rabie, informed Council that she is still awaiting a date for the meeting with Premier A Winde regarding the bypass road.

The Executive Mayor, Ald A Rabie, reported that Council made an amount of R50 000 available per councillor for care projects and that no funds are coming from a political party. The funds are used to benefit an organisation/group/youth.

The Speaker, Cllr G Cohen, afforded Cllr T Els time to do a presentation on 16 days of activism against the abuse of women and children. The Executive Mayor, Ald A Rabie, lit a candle and councillors were invited to take part in a march after the council meeting in honour of this cause.

Cllr R Nutt opened with prayer.

6. CONSIDERATION OF RECOMMENDATIONS MADE BY THE EXECUTIVE MAYOR TO COUNCIL, IN TERMS OF SECTION 160(2) OF THE CONSTITUTION, 1996, AND SECTION 59(1)(a) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT 2000 (ACT 32 OF 2000)

6.1

OVERSTRAND MUNICIPALITY DISASTER MANAGEMENT ANNUAL REPORT

(ITEM 3 PAGE 35 : PROTECTION SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the Overstrand Municipality Disaster Management Annual Report 2022/2023 **be noted.**

RESPONSIBLE OFFICIAL :

**NJ MICHAELS
L SMITH**

TARGET DATE FOR IMPLEMENTATION :

13 DECEMBER 2023

6.2

OVERSTRAND MUNICIPALITY ELECTRICITY BLACKOUT MANAGEMENT AND CONTINGENCY SUPPORT PLAN

(ITEM 7 PAGE 183 : PROTECTION SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the Overstrand Municipality Electricity Blackout Contingency Plan **be adopted.**

RESPONSIBLE OFFICIAL :

**NJ MICHAELS
L SMITH
C JOHNSON**

TARGET DATE FOR IMPLEMENTATION :

29 NOVEMBER 2023

6.3

STARTUP TRIBE ENTREPRENEURIAL ACADEMY

(ITEM 2 PAGE 35 : LOCAL ECONOMIC DEVELOPMENT PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)**RESOLVED (SUPPORTED BY 27 COUNCILLORS):**

1. that Council **approves** the roll-out of the Startup Tribe programme:
 - (a) **support and note** the launch;
 - (b) **promote the programme** through communication channels.
2. that Council **Delegates the Municipal Manager** to enter into an MOU with the Startup Tribe; and
3. that the **Municipal Manager considers any financial requirements that might be needed by the Council** as envisaged in the discussion i.e. custom-made reports such as reports, surveys, etc.

RESPONSIBLE OFFICIAL:**N LIWANI****TARGET DATE FOR IMPLEMENTATION :****1 FEBRUARY 2024**

6.4

A PORTION OF ERF 249 AND A PORTION OF ERF 832 HERMANUS (KNOWN AS THE HERMANUS MARKET SQUARE SITUATED IN MARKET SQUARE STREET): REQUEST FOR EXEMPTION FROM RENTAL ESCALATION FOR THE 2023/2024 FINANCIAL YEAR, COTTON4U4EVER (PTY) LTD

(ITEM 1 PAGE 1 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the clause in the contract regarding the escalation percentage, **be honoured.**

RESPONSIBLE OFFICIAL :	M ERASMUS
TARGET DATE FOR IMPLEMENTATION :	13 DECEMBER 2023
TARGET DATE TO INFORM APPLICANT :	13 DECEMBER 2023
TARGET DATE TO INFORM OBJECTOR :	N/A

6.5

A PORTION OF REMAINDER ERF 243 HERMANUS (SITUATED ON THE OLIFANTSBERG, ROTARY WAY): DEVIATION FROM PARAGRAPH 18 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A FURTHER LEASE AGREEMENT WITH FIDELITY ADT (PTY) LTD

(ITEM 3 PAGE 15 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the deviation from paragraph 18 of the Administration of Immovable Property Policy allowing a direct lease to Fidelity ADT (Pty) Ltd, **be approved.**

RESPONSIBLE OFFICIAL :	R OCTOBER
TARGET DATE FOR IMPLEMENTATION :	13 DECEMBER 2023
TARGET DATE TO INFORM APPLICANT :	13 DECEMBER 2023
TARGET DATE TO INFORM OBJECTOR :	N/A

6.6

IN PRINCIPLE APPROVAL FOR THE ALIENATION OF UNREGISTERED ERF 6289 (A PORTION OF ERF 3374) GANSBAAI, 410M² IN EXTENT AND UNREGISTERED ERF 6290 (A PORTION OF ERF 3374) GANSBAAI, 567M² IN EXTENT, SITUATED IN HIGHWAY STREET, MASAKHANE, BY MEANS OF A COMPETITIVE PROCESS

(ITEM 7 PAGE 47 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the alienation of unregistered Erf 6289 (a portion of Erf 3374) Gansbaai, 410m² (FOUR HUNDRED AND TEN SQUARE METRES) in extent by means of a competitive process at a market related price for church purposes, **be approved in principle;**
2. that the alienation of unregistered Erf 6290 (a portion of Erf 3374) Gansbaai, 567m² (FIVE HUNDRED AND SIXTY-SEVEN SQUARE METRES) in extent by means of a competitive process at a market related price for church purposes, **be approved in principle;**
3. that all the costs pertaining to the transactions, for example the transfer costs, water, sewer and electricity connections and the section 14 advertisement, but excluding the valuation costs, be paid by the successful bidders/purchasers; and
4. that it is hereby confirmed by Council that the municipal properties herewith envisaged to be alienated are not required for the provision of basic municipal services in terms of paragraph 5 of the Administration of Immovable Property Policy approved by Council on 25 November 2015 and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****13 DECEMBER 2023****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

6.7

IN PRINCIPLE APPROVAL FOR THE ALIENATION OF UNREGISTERED ERF 3231 (A PORTION OF ERF 2950) HAWSTON (SITUATED ON THE CORNER OF CLOETE STREET AND SEAVIEW DRIVE, HAWSTON), 2,812M² IN EXTENT, BY MEANS OF A COMPETITIVE PROCESS

(ITEM 8 PAGE 56 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the alienation of Unregistered Erf 3231 (a portion of Erf 2950) Hawston (2,812m² in extent) for business purposes by means of a competitive process at a market related price **be approved in principle**;
2. that all the costs pertaining to the transaction, for example the transfer costs, water, sewer and electricity connections and the section 14 advertisement, but excluding the valuation costs, be paid by the successful bidder/purchaser; and
3. that it is hereby confirmed by Council that the municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of paragraph 5 of the Administration of Immoveable Property Policy approved by Council on 25 November 2015 and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****13 DECEMBER 2023****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

6.8

A PORTION OF ERF 4831 HERMANUS: DEVIATION FROM PARAGRAPHS 18 AND 20.1(B) OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A FURTHER TEMPORARY LEASE AGREEMENT WITH DE VETTE MOSSEL HERMANUS (PTY) LTD FOR A SHORT-TERM PERIOD PENDING THE FINALISATION OF THE TENDER PROCESS

(ITEM 9 PAGE 64 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to renew for a short-term period the current lease agreement with De Vette Mossel Hermanus (Pty) Ltd for a period of 12 (TWELVE) months without following a competitive process, **be approved**; and
2. that the deviation from paragraph 20.1(b) of the Administration of Immovable Property Policy in order to renew for a short-term period the current lease agreement with De Vette Mossel Hermanus (Pty) Ltd for a period of 12 (TWELVE) months without following a public participation process, **be approved**.

RESPONSIBLE OFFICIAL :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****13 DECEMBER 2023****TARGET DATE TO INFORM APPLICANT :****13 DECEMBER 2023****TARGET DATE TO INFORM OBJECTOR :****N/A**

6.9

A PORTION OF ERF 4831 HERMANUS: DEVIATION FROM PARAGRAPHS 18 AND 20.1(B) OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A FURTHER TEMPORARY LEASE AGREEMENT WITH THE KLEIN RIVER LAGOON PARK BODY CORPORATE FOR A SHORT-TERM PERIOD PENDING THE FINALISATION OF THE TENDER PROCESS

(ITEM 11 PAGE 82 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to renew for a short-term period the current lease agreement with The Klein River Lagoon Park Body Corporate for a period of 13 (THIRTEEN) months without following a competitive process, **be approved**; and
2. that the deviation from paragraph 20.1(b) of the Administration of Immovable Property Policy in order to renew for a short-term period the current lease agreement with The Klein River Lagoon Park Body Corporate for a period of 13 (THIRTEEN) months without following a public participation process, **be approved**.

RESPONSIBLE OFFICIAL :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****13 DECEMBER 2023****TARGET DATE TO INFORM APPLICANT :****13 DECEMBER 2023****TARGET DATE TO INFORM OBJECTOR :****N/A**

THE SPEAKER, CLLR G COHEN, CHANGED THE ORDER OF BUSINESS AND THE FOLLOWING ITEM WAS DEALT WITH AT THE END OF THE MEETING.

THE MEETING STOOD DOWN AT 11:13 TO ALLOW OFFICIALS AND THE PUBLIC TO LEAVE THE BANQUETING HALL.

THE MEETING RESUMED AT 11:25

6.10

RIGHT OF PRE-EMPTION: ERF 536 HAWSTON SITUATED AT 27 MOUNTAIN VIEW DRIVE, HAWSTON

(ITEM 14 PAGE 228 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

This item was distributed under separate cover at the meeting.

In terms of Section 20(1) of the Local Government: Municipal Systems Act, No 32 of 2000, read with Rule 17 of the Overstrand Municipality's By-law on Rules of Order for Internal Arrangements, this item was considered "in committee".

The resolutions under this item shall be minuted in a separate minute book in terms of section 20(1) of the Local Government: Municipal Systems Act, No 32 of 2000 read with Rule 17 of the Overstrand Municipality's By-law on Rules of Order for Internal Arrangements.

6.11

IN PRINCIPLE APPROVAL FOR THE ALIENATION OF ERF 795 STANFORD (20 HAGGIA STREET, STANFORD) 376M² IN EXTENT, BY MEANS OF A COMPETITIVE PROCESS

(ITEM 15 PAGE 236 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the alienation of Erf 795 Stanford (376m² in extent) by means of a competitive process at a market related price for residential purposes **be approved in principle**;
2. that all the costs pertaining to the transaction, for example the transfer costs, water, sewer and electricity connections and the section 14 advertisement, but excluding the valuation costs, be paid by the successful bidder/purchaser; and
3. that it is hereby confirmed by Council that the municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of paragraph 5 of the Administration of Immovable Property Policy approved by Council on 25 November 2015 and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL :**M BEKKER****TARGET DATE FOR IMPLEMENTATION :****15 DECEMBER 2023****TARGET DATE TO INFORM APPLICANT :****15 DECEMBER 2023****TARGET DATE TO INFORM OBJECTOR :****N/A**

6.12

IN PRINCIPLE APPROVAL FOR THE ALIENATION OF ERF 800 STANFORD (10 HAGGIA STREET, STANFORD) 370M² IN EXTENT, BY MEANS OF A COMPETITIVE PROCESS

(ITEM 16 PAGE 244 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the alienation of Erf 800 Stanford (370m² in extent) by means of a competitive process at a market related price for residential purposes, **be approved in principle**;
2. that all the costs pertaining to the transaction, for example the transfer costs, water, sewer and electricity connections and the section 14 advertisement, but excluding the valuation costs, be paid by the successful bidder/purchaser; and
3. that it is hereby confirmed by Council that the municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of paragraph 5 of the Administration of Immovable Property Policy approved by Council on 25 November 2015 and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL :**M BEKKER****TARGET DATE FOR IMPLEMENTATION :****15 DECEMBER 2023****TARGET DATE TO INFORM APPLICANT :****15 DECEMBER 2023****TARGET DATE TO INFORM OBJECTOR :****N/A**

6.13

TRANSFER OF UNREGISTERED ERF 3560 (A PORTION OF ERF 1) HAWSTON (CLOSED ROAD RESERVE) ADJACENT TO ERF 412 HAWSTON, SITUATED IN GEORGE VILJOEN STREET, HAWSTON, TO HAWSTON SERVICE STATION (PTY) LTD

(ITEM 17 PAGE 252 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the transfer of unregistered Erf 3560 (a portion of Erf 1) Hawston (adjacent to Erf 412 Hawston) situated in George Viljoen Street, Hawston, 372m² in extent, to the owner of the adjoining Erf 412 Hawston, Hawston Service Station (Pty) Ltd, at an amount of R63,240.00 (SIXTY-THREE THOUSAND TWO HUNDRED AND FORTY RAND) (VAT excluded) for the purpose of additional parking and a driveway, **be approved**;
2. that Council take cognisance of the fact that the direct alienation and subsequent transfer is only approved as unregistered Erf 3560 (a portion of Erf 1) Hawston is classified as a non-viable property;
3. that it be noted that a condition of the alienation will be that unregistered Erf 3560 (a portion of Erf 1) Hawston must be consolidated with the adjoining property of Hawston Service Station (Pty) Ltd, being Erf 412 Hawston;
4. that a condition be registered against the title deed of the to be consolidated property that no structures of any kind may be erected on the portion of property envisaged to be transferred;
5. that all costs pertaining to the transaction, e.g. application fee, valuation cost subdivision and consolidation, closure of portion of public road, rezoning, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser; and
6. that it be noted that the municipal property herewith envisaged to be transferred is not required for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL :

W MURTZ

TARGET DATE FOR IMPLEMENTATION :

15 DECEMBER 2023

TARGET DATE TO INFORM APPLICANT :

29 DECEMBER 2023

TARGET DATE TO INFORM OBJECTOR :

N/A

6.14

RESCISSION OF COUNCIL'S IN PRINCIPLE DECISION FOR THE DIRECT ALIENATION OF A PORTION OF ERF 226 PRINGLE BAY (PORTION OF RESIDENTIAL ERF) ADJACENT TO ERF 227 PRINGLE BAY SITUATED AT 4 BELL ROAD NORTH, PRINGLE BAY, TO POPPY ICE TRADING 15 (PTY) LTD

(ITEM 18 PAGE 264 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the rescission of the entire Council resolution dated 21 February 2022 in respect of the in-principle approval for the direct sale of a portion of Erf 226 Pringle Bay, ($\pm 95\text{m}^2$ in extent), to Poppy Ice Trading 15 (Pty) Ltd, **be approved** on the reasons contained in the report; and
2. that Poppy Ice Trading 15 (Pty) Ltd remove all encroachments on a portion of Erf 226 Pringle Bay and reinstate the property to the satisfaction of the Municipality within a period of 6 (SIX) months from date of this Council decision.

RESPONSIBLE OFFICIAL :**W MURTZ****TARGET DATE FOR IMPLEMENTATION :****15 DECEMBER 2023****TARGET DATE TO INFORM APPLICANT :****29 DECEMBER 2023****TARGET DATE TO INFORM OBJECTOR :****N/A**

6.15

IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF REMAINDER ERF 1916 PEARLY BEACH, ADJACENT TO ERF 559 PEARLY BEACH, SITUATED ON THE CORNER OF SHORT- AND RIDGE STREET (ROAD RESERVE), PEARLY BEACH, TO MS MELANIE SWANEPOEL

(ITEM 19 PAGE 270 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the direct alienation of a portion of Remainder Erf 1916 Pearly Beach (adjacent to Erf 559 Pearly Beach) situated on the corner of Short and Ridge Street, Pearly Beach ($\pm 250\text{m}^2$ in extent), to the owner of the adjoining Erf 559 Pearly Beach, Ms Melanie Swanepoel, at an amount of R150.00/m² (ONE HUNDRED AND FIFTY RAND PER SQUARE METRE) (VAT excluded), to retain the existing partial enclosure, be **approved in principle**;
2. that it be noted that the direct alienation is possible as the said portion of Remainder Erf 1916 Pearly Beach can be classified as a non-viable property;
3. that it be noted that a condition for the alienation will be that the said portion of Remainder Erf 1916 Pearly Beach must be consolidated with the adjoining property of Ms Melanie Swanepoel, being Erf 559 Pearly Beach;
4. that no structures of any kind (excluding a boundary wall or fence) may be erected on the said portion of Remainder Erf 1916 Pearly Beach, which condition must be registered against the title deed of the consolidated property;
5. that the alienation of said portion of Remainder Erf 1916 Pearly Beach be subject to a suspensive condition that the applicant/purchaser obtains approval for all the required land use rights, which include, the closure of public place (road), rezoning, subdivision and consolidation;
6. that all the costs pertaining to the transaction, e.g. application costs, valuation costs, closure of public open space, rezoning, subdivision and consolidation, advertisement and the related costs, etc. be paid by the applicant/purchaser, Ms Melanie Swanepoel; 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:

M BEKKER

TARGET DATE FOR IMPLEMENTATION:

15 DECEMBER 2023

TARGET DATE TO INFORM APPLICANT:

15 DECEMBER 2023

TARGET DATE TO INFORM OBJECTOR:

N/A

6.16

ERF 170 HAWSTON (“HAWSTON INDUSTRIAL HUB”): HAWSTON DEVELOPEMENT FORUM NPC

(ITEM 22 PAGE 298 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that, in relation to lease agreement entered into with the Hawston Developement Forum NPC for the lease of a portion of Erf 170 Hawston, the following **be approved**:

1. the exemption from paying rental for the period 1 August 2023 to 31 January 2024 (six months), representing the further period the Hawston Developement Forum NPC could not trade from the leased period due to vandalism to the property;
2. the exemption from paying for the services for water, sewerage and refuse removal (basic and consumption) for the period 1 March 2023 to 31 January 2024; and
3. the extension of the contractual period form 1 March 2026 with a period of 11 (ELEVEN) months, representing the months the Hawston Developement Forum NPC was not able to trade from the property.

RESPONSIBLE OFFICIAL :

A LE ROUX

TARGET DATE FOR IMPLEMENTATION :

15 DECEMBER 2023

TARGET DATE TO INFORM APPLICANT :

15 DECEMBER 2023

TARGET DATE TO INFORM OBJECTOR:

N/A

6.17

TOURISM GREEN PAPER – SHORT-TERM LETTING REGULATORY ENVIRONMENT

(ITEM 24 PAGE 322 : INVESTMENT, INFRASTRUCTURE & TOURISM PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the **Tourism Green Paper – Short-Term Letting Regulatory Environment** be noted.

RESPONSIBLE OFFICIAL :

F LLOYD

TARGET DATE FOR IMPLEMENTATION :

IMMEDIATELY

6.18

REVISED LEAVE POLICY

**(ITEM 1 PAGE 1 : MANAGEMENT SERVICES PORTFOLIO -
MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)**

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the Draft Revised Leave Policy **be approved.**

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

1 DECEMBER 2023

6.19

ICT SYSTEMS SECURITY POLICY

**(ITEM 2 PAGE 12 : MANAGEMENT SERVICES PORTFOLIO -
MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)**

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the ICT Systems Security Policy **be approved.**

RESPONSIBLE OFFICIAL :

C JOHNSON

TARGET DATE FOR IMPLEMENTATION :

DECEMBER 2023

6.20

AMENDMENT BY-LAW ON RULES OF ORDER FOR INTERNAL ARRANGEMENTS, 2022

(ITEM 3 PAGE 33 : MANAGEMENT SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the Draft Amended Rules of Order for Internal Arrangements, 2022 **be adopted** for the Overstrand Municipality.

RESPONSIBLE OFFICIAL :

J WILKINSON

TARGET DATE FOR IMPLEMENTATION :

IMMEDIATELY SUBSEQUENT TO PUBLICATION IN THE PROVINCIAL GAZETTE

6.21

OVERSTRAND MUNICIPALITY: PUBLIC PLACE TRADING POLICY

(ITEM 5 PAGE 1 : MAYORAL COMMITTEE MEETING : 15 NOVEMBER 2023)

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the Overstrand Municipality: Public Place Trading Policy **be accepted** by Council for adoption; and
2. that the Overstrand Municipality Public Place Trading Policy be implemented from 1 January 2024.

RESPONSIBLE OFFICIAL :

R KUCHAR

TARGET DATE FOR IMPLEMENTATION :

1 JANUARY 2024

7. CONSIDERATION OF REPORTS**7.1****PROPOSED INTERIM ALTERNATE NOTIFICATION METHODS FOR PLANNING APPLICATIONS****R Kuchar****Senior Manager : Town & Spatial Planning****7 November 2023****(028) 313 8019**

EXECUTIVE SUMMARY

The item serves to make a recommendation to Council regarding interim alternate methods to effect notifications to interested and affected parties of town planning applications.

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that Council takes cognisance of the proposal for serving notices;
2. that in the interim the notices be dealt with as follows:
 - (a) be served via emails to the interested and affected parties in accordance with the provisions of the Electronic Communications and Transactions Act;
 - (b) that all notices be placed on Council website; and
 - (c) that all notices be distributed to the ward councillors and ward committees.

RESPONSIBLE OFFICIAL :**R KUCHAR****TARGET DATE FOR IMPLEMENTATION :****6 DECEMBER 2023**

7.2

EARLY CLOSING OF MUNICIPAL OFFICES : 22 AND 29 DECEMBER 2023

H van Tonder
3 October 2023

Manager : Council Support Services

(028) 313 8037

EXECUTIVE SUMMARY

The purpose of the report is to obtain approval from Council for the early closing of the municipal offices on 22 and 29 December 2023.

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the municipal offices in the Overstrand area including libraries, but excluding other essential services, **be closed as from 13:00 on Friday, 22 December 2023 and Friday, 29 December 2023** and respectively reopen at 07:45 on Wednesday, 27 December 2023, and Wednesday, 3 January 2024;
2. that the public and personnel be informed timeously and in an appropriate way, of the arrangement in 1 above; and
3. that **cognisance be taken** that a **Special Council Meeting** will take place on **Wednesday, 31 January 2024** as per the 2024 meeting schedule already distributed.

RESPONSIBLE OFFICIAL :

H VAN TONDER

TARGET DATE FOR IMPLEMENTATION :

1 DECEMBER 2023

7.3**RELAXATION OF BY-LAW RELATED TO OUTDOOR ADVERTISING : 2024 ELECTIONS****D O'Neill
16 November 2023****Municipal Manager****(028) 313 8003**

EXECUTIVE SUMMARY

SALGA requests in their Circular No 35/2023 that municipalities relax the By-law Relating to Outdoor Advertising for a reasonable period leading to the 2024 elections, in order to allow political parties to erect the necessary election posters.

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the item **be withdrawn**.

RESPONSIBLE OFFICIAL :**D O'NEILL****TARGET DATE FOR IMPLEMENTATION :****8 DECEMBER 2023**

7.4

A PORTION OF ERF 3222 ONRUSTRIVIER (PUBLIC OPEN SPACE), ADJACENT TO ERF 3221 ONRUSTRIVIER (16 LAGOON DRIVE, ONRUSTRIVIER): LEASE OF MUNICIPAL PROPERTY TO PH & C VAN NIEKERK, THE OWNERS OF ERF 3221 ONRUSTRIVIER – APPEAL FROM WEST TRUST, THE PROPERTY OWNER OF ERF 3220 ONRUSTRIVIER

**A Le Roux
31 July 2023**

Manager: Property Administration

(028) 316-5623

EXECUTIVE SUMMARY

To submit a resolution of the proceedings of the Appeal Committee to Council for information.

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the decision of the Section 62 Committee **be noted**, namely:

1. that the appeal **be dismissed**;
2. that the appellant **forfeits** their deposit;
3. that the delapidated wooden structure on the proposed boundary be removed by the owners of Erf 3221; and
4. that the Manager : Environmental Services determines where the Clear-view (Beta) fence not exceeding 1,2m in height and either Green or Black, should be erected so that the fence does not interfere with the Milkwood tree.

RESPONSIBLE OFFICIAL:

W MURTZ

7.5**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM) POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR OCTOBER 2023****C Le Roux****Deputy Director: Finance & SCM****02 November 2023****(028) 313 8107**

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of all deviations from the Supply Chain Management Policy, approved by the delegated authority in terms of Paragraph 36 of the Supply Chain Management Policy, approvals in terms of Paragraph 16(1)(b) and 17(1)(c) for October 2023.

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that the deviations from the procurement processes, approved in terms of the delegated authority for October 2023, **be noted**;
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 2023, **be noted**; and
3. that the awards made through the Bid Committee system, formal written price quotations in excess of R30 000 and price quotations below R30 000 for October 2023, **be noted**.

RESPONSIBLE OFFICIAL :**C LE ROUX****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

**7.6
ANNUAL REVIEW OF CONSUMER DEPOSITS****S Reyneke-Naudé
20 November 2023****Director: Finance****(028) 313 8040**

EXECUTIVE SUMMARY

The purpose of the report is to present Council with a recommendation with regard to the annual review of consumer deposits.

Council, on 30 November 2022, resolved as follows:

“RESOLVED (SUPPORTED BY 24 COUNCILLORS):

“that the report be noted and referred back in order to resubmit the report to council in 2023, to assess the proposed revision of consumer deposits on consumers.”

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

that the annual review of consumer deposits be referred to 2024.

RESPONSIBLE OFFICIAL :**EM HOONEBERG****TARGET DATE FOR IMPLEMENTATION :****20 DECEMBER 2023**

7.7

REPORT ON THE PROPOSED ADJUSTMENTS BUDGET FOR 2023/2024

BA King

Senior Manager: Financial Services

20 November 2023

(028) 313 8154

EXECUTIVE SUMMARY

Report prepared in terms of section 28 of the Local Government: Municipal Finance Management Act, 2003 (MFMA) for the Adjustments Budget proposals to adjust revenue and expenditure of grant funding that was reduced by National Treasury, which must be approved by Council in terms of legislation.

RESOLVED (SUPPORTED BY 27 COUNCILLORS):

1. that, in terms of section 28 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the Adjustments Budget for 2023/2024 **be approved** as set out in the following schedules:

- Schedule 1:** Budgeted financial performance (revenue & expenditure by municipal vote)
- Schedule 2:** Budgeted financial performance (revenue by source & expenditure by type)
- Schedule 3:** Budgeted multi-year capital appropriations by standard classification (vote) and associated funding by source
- Schedule 4:** Budgeted financial position
- Schedule 5:** Budgeted cash flow
- Schedule 6:** Cash backed reserves and acc. surplus reconciliation
- Schedule 7:** Asset management
- Schedule 8:** Basic service delivery measurement;

2. that the following schedules be noted:

- Schedule 9:** Budgeted financial performance (revenue & expenditure by standard classification)
- Schedule 10:** Budgeted capital appropriations by municipal vote

3. that the changes (adjusted financial figures) to the Service Delivery and Budget Implementation Plan (SDBIP) for 2023/2024 **be approved**; and
4. that the revised SDBIP for 2023/2024 **be made public**.

RESPONSIBLE OFFICIAL :

**BA KING
RG LOUW**

TARGET DATE FOR IMPLEMENTATION :

1 DECEMBER 2023

7. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER (IF ANY)

None

8. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

None

9. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY)

None

The meeting adjourned at 11:27

DATE

THE SPEAKER – G COHEN