



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 27 JUNE / JUNIE / JUNI 2022
VENUE / PLEK / INDAWO : AUDITORIUM
TIME / TYD / IXESHA : 10:11

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

MINUTES OF AN ORDINARY MEETING OF THE MAYORAL COMMITTEE HELD IN THE AUDITORIUM ON 27 JUNE 2022, AT 10:11

PRESENT:

Councillors were present as per attached attendance register.

OFFICIALS PRESENT:



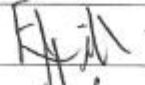



Mr D O'Neill, Municipal Manager
Ms D Arrison, Director : Management Services
Ms S Reyneke-Naudé, Director : Finance
Mr N Michaels, Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Ms A Le Roux, Manager : Property Administration
Ms M Erasmus, Administrative Officer : Property Administration
Ms F Lloyd, Manager : Tourism
Ms H van Tonder, Manager : Council Support Services
Ms G Erasmus, Clerk : Auditorium
Ms S Swart: Administrative Officer : Council Support Services

MINUTES/.....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING

27 JUNE 2022

ALDERMAN/COUNCILLORS	SIGNATURE
RABIE, AL	
AFRICA, F	
GILLION, E	
LERM, CH	
NTSABO, L	
NUTT, R	

1. OPENING

The Executive Mayor opened the meeting and welcomed those present.

2. APPLICATIONS FOR LEAVE OF ABSENCE

None

3. CONFIRMATION OF MINUTES**3.1 Minutes of an Ordinary Meeting of the Mayoral Committee held on Monday, 30 May 2022 at 10:00****RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Monday, 30 May 2022 at 10:00, be confirmed.**

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

The Executive Mayor, Ald A Rabie, congratulated Cllr C Lerm, the Director: Infrastructure & Planning, Mr S Müller, as well as all staff involved with the successful Investment Conference which was held on 23 and 24 June 2022.

5.

PROPOSED EXTENSION: “SOLVEM CONSULTING (PTY) LTD; BYTES SYSTEMS INTEGRATION A DIVISION OF ALTRON TMT (PTY) LTD; WATER MANAGEMENT SERVICES CC; BUSINESS ENGINEERING (PTY) LTD; IGNITE ADVISORY SERVICES; PAYDAY SOFTWARE SYSTEMS (PTY) LTD; GEODEBT SOLUTIONS CC; ONTEC SYSTEMS (PTY) LTD; MAX INTERNET TECHNOLOGIES CC T/A MAXITEC

8/4

D Arrison

Director : Management Services

C Roets

Manager : Contracts & Logistics

13 June 2022

(028) 313 8959

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation on the proposed amendment of the Contracts as listed in paragraph 6.12, ending 30 June 2022, in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA), in order to enable Council to take an informed decision when considering the request for the amendment of the contracts.

RECOMMENDATION TO THE COUNCIL:

1. that cognisance be taken that no recommendations or representations were received from the local community by closing date of 22 April 2022; and
2. that **cognisance be taken** of the reasons for the amendment of the contracts or agreements for ICT related systems and services as listed in the schedule below, in terms of the enabling provisions of Section 116(3) (a) & (b) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the amendment be consented to:

Ref no	Service Provider Name
SC1327(vii)/2013	Business Engineering (Pty) Ltd
SC1327(ii)/2013	Bytes Systems Integration A Division of Altron TMT (Pty) Ltd
SC1327(i)/2013	Solvem Consulting (Pty) Ltd
SC1327(x)(viii)/2013	Geodebt Solutions CC
SC1327(vi)/2013	Ignite Advisory Services
SC1327(ix)/2013	Payday Software Systems (Pty) Ltd
SC1327(iv)/2013	Water Management Services CC
SC1961/2019	Ontec Systems (Pty) Ltd
SC1970/2019	Max Internet Technolo-gies cc t/a Maxitec

RESPONSIBLE OFFICIALS :

**D ARRISON
R WILLIAMS
N MICHAELS
S REYNEKE-NAUDE
S MULLER
C ROETS
E HOONEBERG
H VAN TONDER
H VORSTER
J VAN ASPEREN
L BUCCHIANERI
R LOUW
L COETZEE
L SMITH
T STEENBERG
N ZWENI**

TARGET DATE FOR IMPLEMENTATION :

01 JULY 2022

**6.
CONTRACT SC1995/2019: REPLACEMENT OF WATER METERS IN THE
OVERSTRAND AREA, PHASE 4 FOR A PERIOD ENDING 20 JUNE 2022**

8/4

**T Steenberg
13 June 2022**

Deputy Director: Operational Services

(028) 313 8982

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation on the proposed amendment of Contract SC1995/2019: Replacement Of Water Meters In The Overstrand Area, Phase 4 For A Period Ending 30 June 2022, in terms of the enabling provisions of section 116(3) (a) & (b) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA), to enable Council to make an informed decision whether to consent to the amendment of the contract.

RECOMMENDATION TO THE COUNCIL:

1. that **cognisance be taken** of the reasons for the proposed amendment of **Contract SC1995/2019: REPLACEMENT OF WATER METERS IN THE OVERSTRAND AREA, PHASE 4 FOR A PERIOD ENDING 20 JUNE 2022**, in terms of the enabling provisions of Section 116(3) (a) & (b) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the amendment be consented to; and
2. that **cognisance be taken** that no recommendations or representations were received from the local community by closing date, 13 May 2022.

RESPONSIBLE OFFICIAL : T STEENBERG

TARGET DATE FOR IMPLEMENTATION : 01 JULY 2022

TARGET DATE TO INFORM APPLICANT: N/A

TARGET DATE TO INFORM OBJECTOR : N/A

7.
CONTRACT SC1966/2019: CLEANING OF STORMWATER AND SEWERAGE PIPELINES ON AN "AS AND WHEN" REQUIRED BASIS

8/4

T Steenberg
 13 June 2022

Deputy Director: Operational Services

(028) 313 8982

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation on the proposed amendment of Contract SC1966/2019: Cleaning of Stormwater And Sewerage Pipelines On An "As And When" Required Basis for a period ending 30 June 2022, in terms of the enabling provisions of section 116(3) (a) & (b) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA), to enable Council to make an informed decision whether to consent to the amendment of the contract.

RECOMMENDATION TO THE COUNCIL:

1. that **cognisance be taken** of the reasons for the proposed amendment of **Contract SC1966/2019: CONTRACT SC1966/2019: CLEANING OF STORMWATER AND SEWERAGE PIPELINES ON AN "AS AND WHEN" REQUIRED BASIS**, in terms of the enabling provisions of Section 116(3) (a) & (b) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the amendment be consented to; and
2. that **cognisance be taken** that no recommendations or representations were received from the local community by closing date, 13 May 2022.

RESPONSIBLE OFFICIAL : T STEENBERG

TARGET DATE FOR IMPLEMENTATION : 01 JULY 2022

TARGET DATE TO INFORM APPLICANT: N/A

TARGET DATE TO INFORM OBJECTOR : N/A

8.

**AMENDMENTS TO THE 2022/2023 PROPERTY RATES POLICY / TARIFF POLICY/
CUSTOMER CARE, CREDIT CONTROL AND DEBT COLLECTION POLICY /
TRAVEL & SUBSISTENCE POLICY**

5/B

S Reyneke-Naude**Director : Finance****15 June 2022****(028) 313 8040****EXECUTIVE SUMMARY**

Council has approved all budget related policies on 31 May 2022, for implementation with effect from 1 July 2022. The purpose of this report is to present Council with a few minor amendments to the following policies –

- Overstrand Municipality: Property Rates Policy
- Overstrand Municipality: Tariff Policy
- Overstrand Municipality: Customer Care, Credit Control & Debt Collection Policy
- Overstrand Municipality: Travel & Subsistence Policy

Minor amendments now recommended in this report can be regarded as further enhancement to these policies.

RECOMMENDATION TO THE COUNCIL:

that the following amended policies be approved and implemented with effect from 1 July 2022:

Overstrand Municipality: Property Rates Policy

Overstrand Municipality: Tariff Policy

Overstrand Municipality: Customer Care, Credit Control & Debt Collection Policy

Overstrand Municipality: Travel & Subsistence Policy

RESPONSIBLE OFFICIAL :

**S REYNEKE-NAUDE/
E HOONEBERG/
H VORSTER**

TARGET DATE FOR IMPLEMENTATION :**1 JULY 2022**

9.

**PROPOSED AMENDMENT NO. 01 OF CONTRACT NO. SC 1969/2019:
APPOINTMENT OF CONSULTANTS FOR VARIOUS ENGINEERING AND
GROUNDWATER PROJECTS IN THE OVERSTRAND MUNICIPAL AREA**

8/3/1/SC1969/2019

H Blignaut

Deputy Director: Engineering Planning

8 June 2022

(028) 313 5047

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation with regards to the proposed first amendment of Contract SC1969/2019: Appointment of consultants for various engineering and groundwater projects in the Overstrand Municipal area for a contract period ending 30 June 2022, in terms of the enabling provisions of section 116(3) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA), to enable Council to take an informed decision when considering whether to consent to the proposed amendment of the contract.

RECOMMENDATION TO THE COUNCIL:

1. that **cognisance be taken** of the reasons for the proposed amendment of Contract SC 1969/2019 for the appointment of consultants for various engineering and groundwater projects in the Overstrand municipal area between Overstrand Municipality and those originally appointed professional service providers that currently comply with relevant SCM requirements, in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003);
2. that **cognisance be taken** of the representation received from Messrs Bergstan South Africa (Pty) Ltd and the advice received from National Treasury in this regard;
3. that the amendment of the contract **be consented to**; and
4. that the contracts of Deca Consulting Engineers and Element Consulting Engineers (Pty) Ltd be excluded from the proposed amendment and their contracts to terminate on 30 June 2022, due to their Tax matters not being in order with SARS.

RESPONSIBLE OFFICIAL:**H BLIGNAUT****TARGET DATE FOR IMPLEMENTATION :****1 JULY 2022**

PORTFOLIO COMMITTEE :

PROTECTION SERVICES

Chairperson :

Cllr L Ntsabo

Committee Members :

**Cllrs H Lombard, S Fourie,
C Tafu-Nwonkwo & M Grimbeek**

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

PORTFOLIO COMMITTEE :

LOCAL ECONOMIC DEVELOPMENT

Chairperson :

Ald E Gillion

Committee Members :

**Ald D Coetzee, Cllrs R Nutt,
S Silo, R Dees**

1.
ECONOMIC AND SOCIAL DEVELOPMENT REPORT

9/1/2/2

S Madikane
16 May 2022

Director: Economic and Social Development

(028) 313 8066

EXECUTIVE SUMMARY

The report is to provide Council with information regarding programs in the implementation of social and economic projects. The report seeks to further solicit support and buy-in from Council in ensuring that the Directorate continue serving the vulnerable groups in the municipal geopolitical space.

RESOLVED:

that the report **be noted**.

RESPONSIBLE OFFICIAL :

**X KOSI
G SMIT**

TARGET DATE FOR IMPLEMENTATION :

14 JULY 2022

The Executive Mayor, Ald A Rabie, requested that it be minuted that she wants a meeting to be arranged between potential members of the co-operative for the piggery, with Ald E Gillion as chairperson, by mid-August 2022. She also requested that a full report be compiled regarding the use of land in Stanford, comparing the use by Food-4-Thought and Foor-4-Love.

PORTFOLIO COMMITTEE :

INVESTMENT & INFRASTRUCTURE

Chairperson :

Cllr C Lerm

Committee Members :

**Cllr M Nomatiti, Ald R de Coning,
Cllrs M Sihlahla & V Bandeza**

**1.
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: APRIL 2022 – MAY 2022**

15/3/11

R Kuchar

Senior Manager: Town & Spatial Planning

13 MAY 2022

(028) 313 8900

EXECUTIVE SUMMARY

To report on applications disposed of by the Authorised Official and Municipal Planning Tribunal in terms of the Spatial Land Use Management Act (SPLUMA) during the period from 15 April 2022 - 15 May 2022.

RESOLVED:

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 15 April 2022 – 15 May 2022:

1.	Erf 825, 5 Joubert Street, Franskraal	22 April 2022
2.	Erf 1753, 29 1sts Avenue, Voëlklip	22 April 2022
3.	Erf 1220 18 Kusfront Street, Kleinbaai, Gansbaai	22 April 2022
4.	Erf 94, Van Dyksbaai, Gansbaai	22 April 2022
5.	Erf 5753, 28 Acacia Avenue, Kleinmond	26 April 2022
6.	Erf 91, 29 Church Street, Stanford	6 May 2022
7.	Erf 707, 9 Etiene Street, Stanford	6 May 2022
8.	Erf 12232, 312 A Main Road, Hermanus	6 May 2022
9.	Erf 12316, 64 9 th Street, Hermanus	6 May 2022
10.	Erf 1068, 52 End Street, Hermanus	10 May 2022
11.	Erf 421, 28 Longmarket Street, Stanford	10 May 2022
12.	Erf 931, 76 Main Road, Sandbaai	10 May 2022
13.	Erf 3941, 266 8th Street, Voëlklip	11 May 2022
14.	Farm 575 ptn 180& 181, Afdaksrivier, Benguela Cove	11 May 2022

that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA that took place on 28 April 2022:

1.	Erf 365, 52 Schneider Street, Franskraal	10 May 2022
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RESPONSIBLE OFFICIAL :

L SMUTS

TARGET DATE FOR IMPLEMENTATION :

11 JULY 2022

2.

ENCROACHMENT ON MUNICIPAL PROPERTIES, PORTIONS OF ERVEN 912, 915 AND 1884 VERMONT (PUBLIC OPEN SPACES): HW HEARD & KL O'REILLY

7/2/5

A Le Roux
3 May 2022

Manager: Property Administration

(028) 316-3724

EXECUTIVE SUMMARY

To obtain approval to enter into an encroachment agreement with HW Heard & KL O'Reilly, hereinafter referred to as "the Applicants", who applied to encroach on municipal properties, being portions of Erven 912, 915 and 1884 Vermont (jointly $\pm 111\text{m}^2$ in extent), adjoining Erf 1755 Vermont, situated at 12 Sepia Avenue, Vermont, hereinafter referred to as "the Property", for a period of 5 (FIVE) years for the purpose of the enclosure of the Property for gardening purposes.

RESOLVED:

1. that the encroachment on municipal property, being portions of Erven 912, 915 and 1884 Vermont ($\pm 111\text{m}^2$ in extent), adjacent to Erf 1755 Vermont, by HW Heard & KL O'Reilly at a rental amount of R1,598.40 (ONE THOUSAND FIVE HUNDRED AND NINETY-EIGHT RAND AND FORTY CENTS) per month for a period of 5 (FIVE) years for the purpose of erecting a fence in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the prescribed tariff mentioned in 1 above escalate every year on the 1st of July in accordance with the tariffs stipulated in the Annual Budget as approved by Council, the next escalation to be on 1 July 2022.

RESPONSIBLE OFFICIAL :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****30 JULY 2021****TARGET DATE TO INFORM APPLICANT :****20 JULY 2021**

3.

A PORTION OF ERVEN 249, 829 AND 832 HERMANUS (SITUATED IN MARINE DRIVE, HERMANUS): AMENDMENT OF LEASE AGREEMENT WITH KEE PROPERTY INVESTMENTS (PTY) LTD AND DEVIATION OF PARAGRAPH 24 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY IN REGARD TO THE RENTAL AMOUNT

7/2/3/1

A Le Roux

25 April 2021

Manager: Property Administration

(028) 316 - 5623

EXECUTIVE SUMMARY

To obtain approval to amend the lease agreement between Overstrand Municipality and KEE Property Investments (Pty) Ltd (hereinafter referred to as “the Applicant”) for the remainder of the initial lease period of 5 (FIVE) years in respect portions of Erven 249, 829 and 832 Hermanus (702,34m² in extent), situated in Marine Drive, Hermanus (hereinafter referred to as “the Property”), to provide for a portion of one of the restaurant seating areas on a portion of Erf 829 Hermanus, as indicated on the Locality map, to be converted to and used as a children’s play area, and

To obtain approval to deviate from paragraph 24 of the Administration of Immovable Property Policy in order for the rental amount for the abovementioned portion to be used as a children’s play area to remain the same as the current rental amount.

RESOLVED:

that the amendment of the purpose of the lease agreement between Overstrand Municipality and KEE Property Investments (Pty) Ltd for the remainder of the initial lease period of 5 (FIVE) years in respect of portions of Erven 249, 829 and 832 Hermanus (702,34m² in extent), situated in Marine Drive, Hermanus, to provide for a portion of one of the restaurant seating areas on a portion of Erf 829 Hermanus (18m² in extent) as indicated on the Locality plan, to include the use for a children’s play area, **be approved.**

RECOMMENDATION TO THE COUNCIL:

that the deviation paragraph 24 of the Administration of Immovable Property Policy in order for the rental amount for the abovementioned portion to be used as a children’s play area to remain the same as the current rental amount of R32.61/m² (THIRTY-TWO RAND AND SIXTY-ONE CENT PER SQUARE METRE) per month, **be approved.**

RESPONSIBLE OFFICIAL:**M ERASMUS****TARGET DATE FOR IMPLEMENTATION:****30 JULY 2022****TARGET DATE TO INFORM APPLICANT:****20 JULY 2022****TARGET DATE TO INFORM OBJECTOR:****N/A**

4.

APPLICATION TO PURCHASE: A PORTION OF REMAINDER ERF 243 HERMANUS (OPEN SPACE ZONE 1: NATURE RESERVE), ADJACENT TO ERVEN 357 AND 366 HERMANUS (15 AND 17 WESTCLIFF ROAD, HERMANUS) – JL COCKWELL

7/2/3/2

A Le Roux

Manager: Property Administration

10 May 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To consider the application received from JL Cockwell (the owner of Erven 357 and 366 Hermanus) for the alienation of a portion of Remainder Erf 243 Hermanus ($\pm 230\text{m}^2$ in extent) (Open Space Zone 1: Nature Reserve) adjacent to Erven 357 and 366 Hermanus, situated at 17 Westcliff Road, Hermanus for gardening purposes and to retain the boundary wall.

RECOMMENDATION TO THE COUNCIL:

that the alienation of a portion of Remainder Erf 243 Hermanus ($\pm 230\text{m}^2$ in extent) to the owner of the adjoining Erven 357 and 366 Hermanus, JL Cockwell, **not be approved** as the Property must be reserved as a NEMPAA protected area and there are municipal services in the form of a sewer main pipeline located on the Property.

RESPONSIBLE OFFICIAL:

W MURTZ

TARGET DATE FOR IMPLEMENTATION:

14 AUGUST 2022

TARGET DATE TO INFORM APPLICANT:

27 AUGUST 2022

TARGET DATE TO INFORM OBJECTOR:

N/A

5.

APPLICATION TO PURCHASE: A PORTION OF ERF 1431 SANDBAAI (ROAD RESERVE), ADJACENT TO ERF 1425 SANDBAAI (1 NICO VAN DER MERWE STREET, SANDBAAI) – RS & H DONALD

7/2/3/2

A Le Roux

Manager: Property Administration

10 May 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To consider the application received from RS & H Donald (the owners of Erf 1425 Sandbaai) to purchase a portion of Erf 1431 Sandbaai ($\pm 60\text{m}^2$ in extent) (Road reserve) adjacent to Erf 1425 Sandbaai, situated at 1 Nico van der Merwe Street, Sandbaai for gardening and parking purposes and to erect a boundary wall.

RECOMMENDATION TO THE COUNCIL:

that the alienation of a portion of Erf 1431 Sandbaai ($\pm 60\text{m}^2$ in extent) to the owners of the adjoining Erf 1425 Sandbaai, RS & H Donald, **not be approved** for the following reasons:

- The consolidation of the section of road with Erf 1425 Sandbaai will result in the property having an unwanted and unpractical cadastral layout and the proposed new cadastral layout will be out of character with the cadastral layouts of surrounding erven.
- The De Zandt Development is in the implementation/construction stage, and it is anticipated that Erf 2909 and the adjacent road reserve (the portion of Erf 1431 Sandbaai applied for) may be required for municipal services and/or storm water management.

RESPONSIBLE OFFICIAL:**W MURTZ****TARGET DATE FOR IMPLEMENTATION:****14 AUGUST 2022****TARGET DATE TO INFORM APPLICANT:****27 AUGUST 2022**

**6.
HERMANUS CBD REVITALIZATION, PHASE 2, CIVIC PRECINCT**

15/1/3/10/4

R Kuchar

2 June 2022

Senior Manager: Town & Spatial Planning

(028) 313 8087

EXECUTIVE SUMMARY

During 2016 Overstrand Municipality adopted a CBD revitalization framework for Hermanus CBD. A first project was completed being High Street development. HHO Consulting Engineers was appointed to conduct the planning for the 2nd project as contained in the framework plan being the civic precinct.

RESOLVED:

that the Hermanus Civic Precinct Plan be advertised for public comment.

RESPONSIBLE OFFICIAL:

R KUCHAR

TARGET DATE FOR IMPLEMENTATION:

27 JUNE 2022

TARGET DATE TO INFORM APPLICANT:

N/A

TARGET DATE TO INFORM OBJECTOR:

N/A

**7.
PORTIONS OF ERVEN 249 AND 832 HERMANUS: WRITE BACK OF AMOUNTS
RAISED– MR MA DE KLERK**

7/2/3/2

A Le Roux

Manager: Property Administration

(028) 316-5623

17 May 2022

EXECUTIVE SUMMARY

The purpose of the report is to request Council to approve the writing back of the amount of R532,149.04 (FIVE HUNDRED AND THIRTY-TWO THOUSAND ONE HUNDRED AND FORTY-NINE RAND AND FOUR CENTS) representing basic and infrastructure charges for electricity (Tariffs E1C1 and EF1 as contained in the approved budget) on municipal account number 900000362271 for the period 1 April 2017 to 30 September 2020 in relation to the portions of Erf 249 and Erf 832 Hermanus (herein referred to as “the property”), which property belongs to the Overstrand Municipality, but was leased to Mr MA de Klerk (herein referred to as “De Klerk”).

RESOLVED:

that the item **be withdrawn**.

RESPONSIBLE OFFICIALS :

**A LE ROUX
E HOONENBERG**

TARGET DATE FOR IMPLEMENTATION :

15 JULY 2022

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

8.

APPLICATION TO PURCHASE: A PORTION OF REMAINDER ERF 1253 HERMANUS (TRANSPORT ZONE: ROAD AND PARKING), ADJACENT TO ERF 12294 HERMANUS (62 MITCHELL STREET, HERMANUS) – MG DELPORT

7/2/3/2

A Le Roux

Manager: Property Administration

29 April 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To consider the application received from MG Delport (the owner of Erf 12294 Hermanus) to purchase a portion of Remainder Erf 1253 Hermanus ($\pm 380\text{m}^2$ in extent) (Transport Zone: Road and Parking) adjacent to Erf 12294 Hermanus, situated at 62 Mitchell Street, Hermanus for parking purposes.

RECOMMENDATION TO THE COUNCIL:

that the alienation of a portion of Remainder Erf 1253 Hermanus ($\pm 380\text{m}^2$ in extent) to the owner of the adjoining Erf 12294 Hermanus, MG Delport, **not be approved** as the property must be reserved for public parking and due to services located on the erf boundary.

RESPONSIBLE OFFICIAL:

M ERASMUS

TARGET DATE FOR IMPLEMENTATION:

14 AUGUST 2022

TARGET DATE TO INFORM APPLICANT:

27 AUGUST 2022

TARGET DATE TO INFORM OBJECTOR:

N/A

9.

HERMANUS: IN PRINCIPLE APPROVAL FOR THE ALIENATION OF ERF 7082 HERMANUS (SITUATED AT 20 ASTER STREET, MOUNT PLEASANT), 312m² IN EXTENT, BY MEANS OF A COMPETITIVE PROCESS

7/2/3/2

A Le Roux

Manager: Property Administration

31 March 2022

(028) 316-5623

EXECUTIVE SUMMARY

To obtain in principle approval for the alienation of Erf 7082 Hermanus, 312m² (three hundred and twelve square metres) in extent (the "Property"), for residential purposes by means of a competitive process.

RECOMMENDATION TO THE COUNCIL:

1. that the alienation of Erf 7082 Hermanus (312m² in extent) for residential 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 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 :

R MARINUS

TARGET DATE FOR IMPLEMENTATION :

29 JULY 2022

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

10.

APPLICATION TO PURCHASE: A PORTION OF ERF 3222 ONRUSTRIVIER (PUBLIC OPEN SPACE) ADJACENT TO ERF 3221 ONRUSTRIVIER (16 LAGOON DRIVE, ONRUSTRIVIER) – DR PH VAN NIEKERK

7/2/3/2

A Le Roux

Manager: Property Administration

13 May 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To consider the application received from PH Van Niekerk (the owner of Erf 3221 Onrustrivier) to purchase a portion of Erf 3222 Onrustrivier ($\pm 356\text{m}^2$ in extent) (Public Open Space) adjacent to Erf 3221 Onrustrivier, situated at 16 Lagoon Drive, Onrustrivier for gardening purposes, a cement *braai* structure and to erect a boundary wall.

RECOMMENDATION TO THE COUNCIL:

that the alienation of a portion of Erf 3222 Onrustrivier ($\pm 356\text{m}^2$ in extent) to the owner of the adjoining Erf 3221 Onrustrivier, Dr PH Van Niekerk, **not be approved** as the property fall within the Coastal Protection Zone (EMOZ).

RESPONSIBLE OFFICIAL:

W MURTZ

TARGET DATE FOR IMPLEMENTATION:

14 AUGUST 2022

TARGET DATE TO INFORM APPLICANT:

27 AUGUST 2022

TARGET DATE TO INFORM OBJECTOR:

N/A

11.

APPLICATION TO ENCROACH: A PORTION OF ERF 915 VERMONT (PUBLIC OPEN SPACE) ADJACENT TO ERF 607 VERMONT (19 MALMOK CRESCENT, VERMONT) – MC LOXTON

7/2/3/2

A Le Roux

Manager: Property Administration

13 May 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To consider the application received from Ms MC Loxton (the owner of Erf 607 Vermont) to retain an encroachment of $\pm 200\text{m}^2$ in extent on a portion of Erf 915 Vermont (Public Open Space) adjacent to Erf 607 Vermont, situated at 19 Malmok Crescent, Vermont for gardening purposes and a wooden tool-shed structure.

RESOLVED:

1. that the application for an encroachment on a portion of Erf 915 Vermont ($\pm 200\text{m}^2$ in extent) by the owner of the adjoining Erf 607 Vermont, Ms MC Loxton, not be approved as the encroachment area falls within the Vermont greenbelts area; and
2. that the portion of Erf 915 Vermont on which the encroachment is located on be rehabilitated to its natural state within a period of 6 (six) months from date of notification of the outcome of the application.

RESPONSIBLE OFFICIAL:

W MURTZ

TARGET DATE FOR IMPLEMENTATION:

14 AUGUST 2022

TARGET DATE TO INFORM APPLICANT:

27 AUGUST 2022

TARGET DATE TO INFORM OBJECTOR:

N/A

12.

TRANSFER OF ERF 4913 HERMANUS (ROAD RESERVE) ADJACENT TO ERF 341 HERMANUS, SITUATED AT 24 WESTCLIFF ROAD, HERMANUS TO JC DAVIS

7/2/3/2

A Le Roux

Manager: Property Administration

12 May 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To obtain final approval for the transfer of Erf 4913 Hermanus adjacent to Erf 341 Hermanus, situated at 24 Westcliff Road, Hermanus, 107m² in extent, to the owner of Erf 341 Hermanus, being JC Davis.

RECOMMENDATION TO THE COUNCIL:

1. that the transfer of Erf 4913 Hermanus (adjacent to Erf 341 Hermanus) situated at 24 Westcliff Road, Hermanus, 107m² in extent, to the owner of the adjoining Erf 341 Hermanus, JC Davis, at an amount of R55,000.00 (FIFTY FIVE THOUSAND RAND) (VAT excluded) for gardening purposes and a boundary fence or wall, **be approved**;
2. that Council take cognisance of the fact that the direct alienation and subsequent transfer is only approved as the subject Erf 4913 Hermanus is classified as a non-viable property;
3. that it be noted that a condition for the transfer is that Erf 4913 Hermanus must be consolidated with the adjoining property of JC Davis, being Erf 341 Hermanus simultaneous with the transfer of the property;
4. that a condition be registered against the title deed of the to be consolidated property that the portion of property envisaged to be transferred may only be used for gardening purposes and no structures, excluding a boundary fence or wall, may be erected thereon;
5. that the transfer of a portion of Erf 4913 Hermanus be subject to a suspensive condition that the applicant/purchaser obtains approval for the closure of the public road, consolidation and rezoning and all related town planning approvals applicable;

6. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, closure of portion of public road, consolidation, rezoning, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser; and
7. that it be noted that the municipal property envisaged to be transferred is not required for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL:	W MURTZ
TARGET DATE FOR IMPLEMENTATION:	14 AUGUST 2022
TARGET DATE TO INFORM APPLICANT:	27 AUGUST 2022
TARGET DATE TO INFORM OBJECTOR:	N/A

13.

ERF 196 ZWELIHLE (196 KEPKEY STREET, ZWELIHLE): WRITE-OFF RENTAL, THE UNITING REFORMED CHURCH IN SOUTH AFRICA

7/2/3/1

A Le Roux

Manager: Property Administration

11 May 2022

(028) 316-5623

EXECUTIVE SUMMARY

The purpose of the report is to request Council to approve the writing off of an amount of R13,392.68 (THIRTEEN THOUSAND THREE HUNDRED AND NINETY-TWO RAND AND SIXTY-EIGHT CENTS) (Excluding VAT) representing rental levied on a municipal account for the period 1 July 2013 until 28 February 2022, which charges were incurred in terms of a lease agreement entered into with The Uniting Reformed Church in South Africa (hereinafter referred to as the "Church"), in relation to Erf 196 Zwelihle.

RECOMMENDATION TO THE COUNCIL:

that the writing off of an amount of R13,392.68 (THIRTEEN THOUSAND THREE HUNDRED NINETY-TWO RAND AND SIXTY-EIGHT CENTS) (Excluding VAT) representing rental levied on a municipal account of the Uniting Reformed Church in South Africa, in relation to Erf 196 Zwelihle for the period 1 July 2013 until 28 February 2022, **be approved**.

RESPONSIBLE OFFICIAL :**R MARINUS****TARGET DATE FOR IMPLEMENTATION :****29 JULY 2022****TARGET DATE TO INFORM APPLICANT :****15 JULY 2022****TARGET DATE TO INFORM OBJECTOR :****N/A**

14.

A PORTION OF UNREGISTERED ERF 2402 (A PORTION OF ERF 1) HAWSTON (SITUATED IN CHURCH STREET, HAWSTON): DEVIATION FROM PARAGRAPHS 4, 18, 20.1(b) AND 24 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A LEASE AGREEMENT WITH HAROLD HENRY LAMOHR

7/2/3/1

A Le Roux

22 April 2022

Manager: Property Administration

(028) 316-5623

EXECUTIVE SUMMARY

To obtain approval from the Executive Mayor to enter into a lease agreement for a period of 9 (NINE) years and 11 (ELEVEN) months with Harold Henry Lamohr ("Mr Lamohr") in respect of a portion of Unregistered Erf 2402 (a portion of Erf 1) Hawston, ±573m² (FIVE HUNDRED SEVENTY-THREE SQUARE METRES) in extent, situated in Church Street, Hawston, hereinafter referred to as "the Property", for residential purposes; and

To obtain approval from Council for the deviation from paragraphs 4, 18, 20.1(b) and 24 of the Administration of Immovable Property Policy (as approved by Council on 25 November 2015) allowing the Municipality to enter into a direct lease agreement with Mr Lamohr in respect of the Property for residential purposes, without paying the prescribed application fee, without paying the advertisement fee and without obtaining a valuation from an independent valuer to determine the market related rental amount.

RESOLVED:

1. that the lease of a portion of Unregistered Erf 2402 (a portion of Erf 1) Hawston, ±573m² in extent, to Harold Henry Lamohr for a period of 9 (NINE) years and 11 (ELEVEN) months, from 1 November 2021 for residential purposes, at a rental amount equal to the tariff approved for Wetcore Stands (Social Housing) in the Municipality's annual budget per month, **be approved**;
2. that the abovementioned approval be subject to Council approving the deviation from paragraphs 4, 18, 20.1(b) and 24 of the Administration of Immovable Property Policy of 2015; and
3. that the abovementioned approval be subject to a public participation process being followed and that any comments / objections received from the public following the public participation process be submitted to the Executive Mayor for consideration.

RECOMMENDATION TO THE COUNCIL:

1. that the deviation from paragraph 4 of the Administration of Immovable Property Policy exempting Mr Harold Henry Lamohr from paying the prescribed application fee, **be approved**;
2. that the deviation from paragraph 18 of the Administration of Immovable Property Policy allowing a direct lease to Mr Harold Henry Lamohr, **be approved**;
3. that the deviation from paragraph 20.1(b) of the Administration of Immovable Property Policy, exempting Mr Harold Henry Lamohr from payment of the prescribed advert cost and that the Municipality bears the advert cost, **be approved**; and
4. that the deviation from paragraph 24 of the Administration of Immovable Property Policy, exempting Mr Harold Henry Lamohr from obtaining a valuation from an independent valuer to determine the market related rental amount and that the rental amount be an amount equal to the tariff approved for Wetcore Stands (Social Housing) in the Municipality's annual budget, **be approved**.

RESPONSIBLE OFFICIAL :**R OCTOBER****TARGET DATE FOR IMPLEMENTATION :****29 JULY 2022****TARGET DATE TO INFORM APPLICANT :****15 JULY 2022****TARGET DATE TO INFORM OBJECTOR :****N/A**

15.

A PORTION OF PORTION 18 OF FARM NO 644 STANFORD: DEVIATION FROM PARAGRAPH 18 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A DIRECT LEASE AGREEMENT WITH FOOD FOR THOUGHT COMMUNITY PROJECTS NPC

7/2/3/1

A Le Roux

Manager: Property Administration

21 April 2022

(028) 316-5623

EXECUTIVE SUMMARY

To obtain approval from Council for the deviation from paragraph 18 of the Administration of Immovable Property Policy (as approved by Council on 25 November 2015) allowing the Municipality to enter into a direct lease agreement with Food For Thought Community Projects NPC (hereinafter referred to as “the Applicant”) in respect of a portion of Portion 18 of Farm No 644 Stanford, ±25,500m² (APPROXIMATELY TWENTY FIVE THOUSAND FIVE HUNDRED SQUARE METRES) in extent (hereinafter referred to as the “Property”) for a period of 3 (THREE) years for agricultural purposes (vegetable farming only), without following a competitive bidding process.

RESOLVED:

that the item **be withdrawn**.

RESPONSIBLE OFFICIAL :**R MARINUS****TARGET DATE FOR IMPLEMENTATION :****6 JULY 2022****TARGET DATE TO INFORM APPLICANT :****6 JULY 2022****TARGET DATE TO INFORM OBJECTOR :****N/A**

16.
OPERATIONAL REPORTS

9/1/2/5

S Muller

23 May 2022

Director: Infrastructure and Planning

(028) 313 8019

EXECUTIVE SUMMARY

This report is to provide the Portfolio Committee with reports on the implementation and progress of the following services:

- Municipal Infrastructure Grant (MIG),
- Bulk Water Services Operation and Maintenance Contract,
- Environmental, and
- Electrification of Housing Projects.

RESOLVED:

that the report **be noted**.

RESPONSIBLE OFFICIAL :

S MULLER

TARGET DATE FOR IMPLEMENTATION :

N/A

**17.
OVERSTRAND MUNICIPALITY: KLEINMOND CBD UPGRADING PLAN, 2022**

15/1/3/4

R Kuchar

Senior Manager: Town & Spatial Planning

18 May 2022

(028) 313 8087

EXECUTIVE SUMMARY

The purpose of this report is to table the Overstrand Municipality: Kleinmond Central Business Upgrading Plan (CBD) for approval by Council as a guiding document with regard to the upgrading and revitalisation of the CBD of Kleinmond.

RECOMMENDATION TO THE COUNCIL:

1. that the Kleinmond CBD Upgrading Plan be approved as a guiding document to the Overstrand Spatial Development Framework, 2020 and the Overstrand Integrated Development Plan; and
2. that funding be applied for to implement the proposal.

RESPONSIBLE OFFICIAL:**H VAN DER STOEP****TARGET DATE FOR IMPLEMENTATION:****14 JUNE 2020****TARGET DATE TO INFORM APPLICANT:****N/A****TARGET DATE TO INFORM OBJECTOR:****N/A**

18.

TOWN PLANNING: ADMINISTRATIVE PENALTY IN TERMS OF AMENDMENT OF BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020

15/1/3/10/4

R Kuchar

Senior Manager : Town & Spatial Planning

24 May 2022

(028) 313 8087

EXECUTIVE SUMMARY

To inform the Council the process followed regarding how administrative penalties are applicable when contravention of the zoning scheme occurs.

RECOMMENDATION TO THE COUNCIL:

that the process regarding administration penalty applications **be noted**.

RESPONSIBLE OFFICIAL:**R KUCHAR****TARGET DATE FOR IMPLEMENTATION:****N/A**

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr R Nutt

Committee Members :

**Ald K Brice, Cllrs S Williams,
S Silo, K Ngqandana**

1.

**BENEFICIARIES: INTERGRATED RESIDENTIAL DEVELOPMENT PROGRAMME
IRDP: 544 ERVEN BLOMPARK, GANSBAAI**

17/5/4/1

**TA Gcotyelwa
19 May 2022**

Acting Senior Manager: Corporate Services

(028) 313 8144

EXECUTIVE SUMMARY

This report is to inform the Executive Mayor of the progress to date with the procedure to finalise subsidy applications for potential beneficiaries.

RESOLVED:

that the progress report with regard to the beneficiary subsidy status in the IRDP: 544 erven Blompark, Gansbaai, **be noted**.

RESPONSIBLE OFFICIAL :**TA GCOTYELWA****TARGET DATE FOR IMPLEMENTATION :****N/A**

**PORTFOLIO COMMITTEE :
MANAGEMENT SERVICES**

Chairperson :

Cllr F Africa

Committee Members :

**Cllrs A Komani, C Resandt,
Ald T Nqinata & Cllr T Gwele**

1.
**DRAFT PROCESS PLAN FOR INTEGRATED DEVELOPMENT PLANNING AND
BUDGET PREPARATION FOR 2022/2027**

2/12/1

RG Louw

Senior Manager: Strategic Services

16 May 2022

(028) 313 8071

EXECUTIVE SUMMARY

The purpose of this report is for Council to note the draft Process Plan for integrated development planning (IDP) and Budget preparation for 2022/2027.

RESOLVED:

that the item **be withdrawn**.

RESPONSIBLE OFFICIAL :

RG LOUW

TARGET DATE FOR IMPLEMENTATION :

8 JULY 2022

2.

REVIEW: PERSONAL PROTECTIVE EQUIPMENT POLICY

4/7/5/B

N Floors

23 May 2022

Manager: Labour Relations and Health & Safety

(028) 313 8123

EXECUTIVE SUMMARY

The purpose of this report is to inform the Council of the Review of the Personal Protective Equipment Policy.

RECOMMENDATION TO THE COUNCIL:

that the Personal Protective Equipment Policy **be approved**.

RESPONSIBLE OFFICIAL :**N FLOORS****TARGET DATE FOR IMPLEMENTATION :****1 JULY 2022**

3.

REVIEW: SUBSTANCE ABUSE : ALCOHOL AND DRUG POLICY AND PROCEDURE

4/10/B

N Floors

23 May 2022

Manager: Labour Relations and Health & Safety

(028) 313 8123

EXECUTIVE SUMMARY

The purpose of this report is to inform the Council of the Review of the Substance Abuse: Alcohol and Drug Policy and Procedure.

RECOMMENDATION TO THE COUNCIL:

that the Substance Abuse: Alcohol and Drug Policy and Procedure **be approved.**

RESPONSIBLE OFFICIAL :**N FLOORS****TARGET DATE FOR IMPLEMENTATION :****1 JULY 2022**

PORTFOLIO COMMITTEE :

FINANCE & TOURISM

Chairperson :

Ald A Rabie

Committee Members :

**Cllrs T Els, C Lerm,
Ald T Nqinata and Cllr J van Staden**

1.
TOURISM MONTHLY REPORT: MAY 2022

9/1/2/2

F Lloyd

14 June 2022

Tourism Manager

(028) 313 5022

EXECUTIVE SUMMARY

The purpose of this report is to provide, and outline activities and initiatives of Tourism to promote the Overstrand. The report covers the activities for May 2022.

RESOLVED:

that the monthly tourism report for May 2022 **be noted**.

RESPONSIBLE OFFICIAL :

F LLOYD

TARGET DATE FOR IMPLEMENTATION :

27 JUNE 2022

**2.
MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) AND PARAGRAPH 6(7)(4)(F)
OF THE DIRECTIONS OF THE DISASTER MANAGEMENT ACT, MAY 2022**

8/2/2

C Le Roux

Deputy Director: Finance & SCM

06 June 2022

(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 May 2022. To inform Council of all procurement undertaken during the national state of disaster as per paragraph 6.7.4(f) Amendment of the Directions issued, in terms of section 27(2) of the Disaster Management Act, 2002, dated 02 July 2020.

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for May 2022, **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 May 2022, **be noted**; and
3. that the awards made through the Bid Committee system, and formal written price quotations in excess of R30 000 and all price quotations below R30 000 for May 2022, **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

The Executive Mayor, Ald A Rabie, requested that it be minuted that a full report on the Municipality's fleet be compiled to be submitted at the August 2022 meeting.

The meeting adjourned at 12:18

DATE

DR. A RABIE - EXECUTIVE MAYOR