



**ORDINARY MEETING OF THE MAYORAL  
COMMITTEE**

**GEWONE VERGADERING VAN DIE  
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI  
KASODOLOPHU**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 25 NOVEMBER / NOVEMBA 2020**  
**VENUE / PLEK / INDAWO : VIRTUAL**  
**TIME / TYD / IXESHA : 10:00**

# OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

## MINUTES OF AN ORDINARY MEETING OF THE MAYORAL COMMITTEE HELD BY MEANS OF A VIRTUAL PLATFORM ON 25 NOVEMBER 2020, AT 10:00

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**PRESENT:** Councillors were present as per attached attendance register.

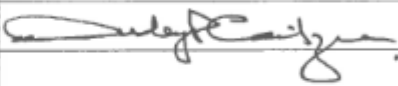
**OFFICIALS PRESENT:** Mr D O'Neill, Municipal Manager  
Ms D Arrison, Director : Management Services  
Ms S Reyneke-Naudé, Director : Finance  
Mr R Williams, Director : Community Services  
Mr N Michaels, Director : Protection Services  
Mr S Müller, Director : Infrastructure & Planning  
Ms F Lloyd, Acting Director : Economic  
Development & Tourism  
Mr T Steenberg, Deputy Director : Community  
Services  
Mr R Kuchar, Senior Manager : Town Planning  
Mr D Lakey, Senior Manager : Kleinmond  
Administration  
Mr F Myburgh, Senior Manager : Gansbaai  
Administration  
Mr L Smith, Chief : Fire & Rescue and Disaster  
Management  
Ms E Hooneberg, Senior Manager : Income  
Ms A Le Roux, Manager : Property Administration  
Ms H van Tonder, Manager : Council Support  
Services  
Ms S Swart: Administrative Officer : Council  
Support Services  
Ms G Erasmus, Clerk : Auditorium

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**MINUTES/.....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING  
25 NOVEMBER 2020

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F ✓	
BOTHA, D	
BRICE, KD ✓	
COETSEE, A	
COETZEE, DP ✓	
COHEN, G ✓	
DE CONING, CA ✓	
GILLION, E ✓	
KALOLO, SV	
KOMANI, AS ✓	
KRIGE, F	
NQINATA, NNT	
MAY, C	
MOLEFE, B	
MORGAN, H	
MSWELI, X	
NTSABO, L	
NUTT, R	
ORBAN, J	
PUNGUPUNGU, V	
RESANDT, C	
SAPEPA, NM	
TAFU-NWONKWO, CC	
TEBELE, S	

**1. OPENING**

Cllr A Komani opened with prayer. The Municipal Manager, Mr D O'Neill, read the notice convening the meeting.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

None

**3. CONFIRMATION OF MINUTES**

- 3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 28 October 2020 at 12:00**

**RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 28 October 2020 at 12:00, be confirmed.**

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

The Executive Mayor, Ald D Coetzee, welcomed the newly appointed Municipal Manager, Mr D O'Neill.

The Deputy Executive Mayor, Cllr E Gillion, informed the meeting that the 16 days of Activism against Gender-based Violence has started today and reported that the medical system is under severe pressure due to Covid-19 infections. She urged councillors to set an example to continue to apply the various hygiene measures to prevent Covid-19.

5.  
**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, OCTOBER 2020**

8/2/2

C Le Roux

Deputy Director: Finance & SCM

09 November 2020

(028) 313 8107

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**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 2020. 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 October 2020, **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 2020, **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 October 2020, **be noted**.

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

**6.  
REPORT OF THE JOINT AUDIT AND PERFORMANCE AUDIT COMMITTEE  
(JAPAC) TO THE OVERSTRAND MUNICIPAL COUNCIL**

**3/2/3/12**

**DC Van Der Heever**

**Internal Audit Services**

**16 November 2020**

**(028) 313 5035**

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**EXECUTIVE SUMMARY**

The purpose of the report is to present Council with the Reports of the Joint Audit and Performance Audit Committee (JAPAC) in terms of the reporting requirements as per paragraph 3 of the JAPAC Charter, approved by Council on 21 May 2017.

**RECOMMENDATION TO THE COUNCIL:**

that the report from the JAPAC to the Overstrand Municipal Council **be noted**.

**RESPONSIBLE OFFICIAL :**

**DC VAN DER HEEVER**

**TARGET DATE FOR IMPLEMENTATION :**

**25 NOVEMBER 2020**

**7.  
ANNUAL REVIEW OF ELECTRICITY DEPOSITS**

**5/17/1**

**SG Reyneke-Naudé**

**Director: Finance**

**17 November 2020**

**(028) 313 8040**

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**EXECUTIVE SUMMARY**

The purpose of the report is to present Council with a recommendation to waive the requirement to review the consumer electricity deposits in terms of the Customer Care, Credit Control & Debt Collection Policy, for the 2020/2021 financial year.

**RECOMMENDATION TO THE COUNCIL:**

that the annual review of electricity deposits as prescribed in the Customer Care, Credit Control and Debt Collection Policy, be waived for the 2020/2021 financial year.

**RESPONSIBLE OFFICIAL :**

**EM HOONEBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**30 NOVEMBER 2020**

**8.  
AMENDMENT TO THE 2020/2021 INDIGENT POLICY**

**5/B**

**S Reyneke-Naude  
16 November 2020**

**Director : Finance**

**(028) 313 8040**

**EXECUTIVE SUMMARY**

The purpose of this report is to recommend an amendment to the Indigent Policy.

**RECOMMENDATION TO THE COUNCIL:**

that the Indigent Policy be amended retrospectively from 1 July 2020 by amending the following section:

A category of needy households is recognised for purposes of receiving an indigent subsidy:-

**A. Indigent household with income less than four times the Government State Old Age Pension and electricity consumption less than 400 kWh**

.....

**B. Indigent households with a property value up to R220 000.00 and electricity consumption less than 400 kWh (no income restriction):-**

.....

**Subsidy**

(i) .....

(ii) .....

(iii) .....

(iv) .....

(v) R[**164.35**] 185.49 of the basic levy for refuse removal for one service point per month;

(vi) .....

(vii) .....

(viii) .....

(ix) .....

**C. Indigent households with a property value up to R220 000.00 and electricity less than 500 kWh (no income restriction) only applicable for existing category C recipients of a benefit in terms of this policy up to 30 June 2020:**

.....

**Subsidy**

(i) .....



- (ii) R[164.35] 185.49 of the basic levy for refuse removal per month for one service point.

**D. Indigent households with a property value greater than R220 000.00 and electricity more than 400kWh but less than 500kWh (income not exceeding the sum of four times the amount of the state funded social pension) only applicable for existing category D recipients of a benefit in terms of this policy up to 30 June 2020:**

.....

**Subsidy**

- (i) .....
- (ii) R[164.35] 185.49 of the basic levy for refuse removal per month for one service point.

**RESPONSIBLE OFFICIAL :**

**E HOONEBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**30 NOVEMBER 2020**

## 9.

**COVID-19 ARRANGEMENTS****THE “SEATS ON THE STREETS” CAMPAIGN: DEVIATION FROM SEVERAL PARAGRAPHS OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 AND EXEMPTION FROM THE PAYMENT OF RENTAL**

7/2/3/1

A Le Roux

Manager: Property Administration

16 November 2020

(028) 316-5623

**EXECUTIVE SUMMARY**

The purpose of the report is to present Council with a request to assist restaurants during the “Seats on the Streets” campaign which will be for an initial period from 16 December to 15 January 2021 with a possible extension to 15 April 2021 by:

- (a) deviating from Tariff S34G2: Lease of Municipal land for outdoor seating adjoining a Restaurant (per m<sup>2</sup> per month) as approved in the annual budget for the 2020/2021 financial year as to all the applications approved under the “Seats on the Streets” campaign;
- (b) exempting the tenants of the Municipality as indicated in Annexure A to the item from the payment of rental for the period “Seats on the Streets” campaign will run; and
- (c) deviating from paragraphs 4, 21.2(a), 21.2(b), 21.2(e), 26 and 41 of the Administration of Immovable Property Policy of 2015 should the initial period of 16 December 2020 to 15 January 2021 for the campaign be extended to 15 April 2021.

**RECOMMENDATION TO THE COUNCIL:**

1. that the deviation from Tariff S34G2: “Lease of Municipal land for outdoor seating adjoining a Restaurant (per m<sup>2</sup> per month)” as approved in the annual budget for the 2020/2021 financial year in relation to all the applications approved under the “Seats on the Streets” campaign **be approved**;
2. that exemption from the payment of rentals by the tenants of the Municipality as indicated in Annexure A to the item for the period “Seats on the Streets” campaign will run **be approved**; and
3. that, should the “Seats on the Streets” campaign be extended to and including 15 April 2021, the deviation from paragraphs 4, 21.2(a), 21.2(b), 21.2(e), 26 and 41 of the Administration of Immovable Property Policy of 2015, **be approved**.

**RESPONSIBLE OFFICIAL :****A LE ROUX  
E HOONEBERG****TARGET DATE FOR IMPLEMENTATION :****11 DECEMBER 2020**

**PORTFOLIO COMMITTEE :**

**FINANCE**

**Chairperson :**

**Cllr R de Coning**

**Committee Members :**

**Cllrs L Ntsabo, R Nutt,  
S Tebele, X Msweli and B Molefe**

**PORTEFEULJEKOMITEE :**

**FINANSIES**

**Voorsitter :**

**Rdl R de Coning**

**Komiteelede :**

**Rdle L Ntsabo, R Nutt,  
S Tebele, X Msweli and B Molefe**

1.  
**WRITING OFF OF IRRECOVERABLE DEBT**

5/17/1

SG Reyneke-Naudé

Director: Finance

19 October 2020

(028) 313 8040

**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 R390 052.31 as listed below, be written off as bad debt:

	First time write off – Indigent Households	R 12 025.54
A	Indigent water leakages irrecoverable	R 344 754.69
B	Final accounts equal or less than R1 500.00	R 578.09
C	Other Write offs	R 32 693.99
	<b>TOTAL</b>	<b><u>R 390 052.31</u></b>

**RESPONSIBLE OFFICIAL :**

**EM HOONEBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**30 NOVEMBER 2020**

**PORTFOLIO COMMITTEE :  
MANAGEMENT SERVICES**

**Chairperson :**

**Cllr A Komani**

**Committee Members :**

**Ald M Sapepa, Cllrs R Nutt,  
H Morgan & N Nqinata**

**PORTEFEULJEKOMITEE :  
BESTUURSDIENSTE**

**Voorsitter :**

**Rdl A Komani**

**Komiteelede :**

**Rdh M Sapepa, Rdle R Nutt,  
H Morgan & N Nqinata**

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

**PORTFOLIO COMMITTEE :**

**PROTECTION SERVICES**

**Chairperson :**

**Cllr F Africa**

**Committee Members :**

**Cllrs C Resandt, F Krige  
& C Tafu-Nwonkwo**

**PORTEFEULJEKOMITEE :**

**BESKERMINGSDIENSTE**

**Voorsitter :**

**Rdl F Africa**

**Komiteelede :**

**Rdle C Resandt, F Krige  
& C Tafu-Nwonkwo**

1.  
**QUARTERLY MONITORING REPORT FOR THE PERIOD JULY TO SEPTEMBER  
2020: DIRECTORATE: PROTECTION SERVICES**

5/20

**N J Michaels**

**Director: Protection Services**

**20 October 2020**

**(028) 313 8054**

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**EXECUTIVE SUMMARY**

To report on the functioning and activities of the Directorate: Protection Services for the period July to September 2020.

**RESOLVED:**

that the Quarterly Monitoring Report of the functioning and activities of the Directorate: Protection Services for the period July to September 2020, **be noted**.

**RESPONSIBLE OFFICIAL :**

**N J MICHAELS**

**TARGET DATE FOR IMPLEMENTATION :**

**01 DECEMBER 2020**



2.

**OVERSTRAND MUNICIPALITY FESTIVE SEASON PLAN FOR TRAFFIC, LAW ENFORCEMENT AND TASK TEAM: 2020/2021**

2/1

**N J Michaels****Director: Protection Services****20 October 2020****(028) 313 8054**

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**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 2020 to 31 January 2021 (Festive Season).

**RESOLVED:**

that the content of the Festive Season Plan 2020/2021 **be noted**.

**RESPONSIBLE OFFICIAL :****N MICHAELS****TARGET DATE FOR IMPLEMENTATION :****01 DECEMBER 2020**

**3.  
REVIEW OF OVERSTRAND MUNICIPALITY FIRE MANAGEMENT PLAN 2021 -  
2025**

**17/8/B**

**NJ Michaels**

**Director: Protection Services**

**22 October 2020**

**(028) 313 8054**

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**EXECUTIVE SUMMARY**

The purpose of the report is to present to Council the Fire Management Plan, for a period of five years, from 2021 – 2025.

**RECOMMENDATION TO THE COUNCIL:**

that the Overstrand Municipality Fire Management Plan 2021 - 2025 **be noted.**

**RESPONSIBLE OFFICIAL :**

**NJ MICHAELS  
L. SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**1 DECEMBER 2020**

4.  
**REVIEW OF THE OVERSTRAND MUNICIPALITY DISASTER MANAGEMENT PLAN**

2/B

NJ Michaels

Director: Protection Services

22 October 2020

(028) 313 8054

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**EXECUTIVE SUMMARY**

The purpose of the report is to present to council a Disaster Management Plan aimed to identify, reduce or prevent disasters from happening and mitigate or minimise the impacts of disasters that are inevitable.

**RECOMMENDATION TO THE COUNCIL:**

that the Overstrand Municipality Disaster Management Plan, **be adopted**.

**RESPONSIBLE OFFICIAL :**

**NJ MICHAELS  
L SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**1 DECEMBER 2020**

**PORTFOLIO COMMITTEE :**  
**ECONOMIC DEVELOPMENT & TOURISM**

**Chairperson :**

**Cllr K Brice**

**Committee Members :**

**Cllrs C Resandt, C May  
& S Kalolo**

**PORTEFEULJEKOMITEE :**  
**EKONOMIESE ONTWIKKELING & TOERISME**

**Voorsitter :**

**Rdl K Brice**

**Komitee lede :**

**Rdle C Resandt, C May  
& S Kalolo**

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

**PORTFOLIO COMMITTEE :**

**COMMUNITY SERVICES**

**Chairperson :**

**Cllr G Cohen**

**Committee Members :**

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

**PORTEFEULJEKOMITEE :**

**GEMEENSKAPSDIENSTE**

**Voorsitter :**

**Rdl G Cohen**

**Komiteelede :**

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

1.  
**OPERATIONAL PLAN: HOLIDAY SEASON: 2020/2021**

2/1

R Williams

Director: Community Services

21 October 2020

(028) 313 8156

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**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, Public Launching Sites (PLS), swimming pool and other public facilities that will be visited and utilised by large numbers of visitors during the period from 1 December 2020 until 17 January 2021.

**RESOLVED:**

that the content of the Operational Plan: Holiday Season: 2020/2021, which is to be executed by the Directorate: Community Services, **be noted**.

**RESPONSIBLE OFFICIAL :**

**AREA MANAGERS  
OPERATIONAL MANAGERS  
CORPORATE PROJECTS**

**TARGET DATE FOR IMPLEMENTATION :**

**1 DECEMBER 2020**

2.

**COVID-19: EXEMPTION FROM PAYING LAUNCHING FEES AT THE KLEINBAAI PUBLIC LAUNCHING SITE (PLS)**

5/5/1/5

F Myburgh

Senior Manager : Gansbaai Administration

27 October 2020

(028) 313-8029

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**EXECUTIVE SUMMARY**

The purpose of this report is for the Council to consider the application from the exemption from paying launching fees at the Kleinbaai Public Launching Site (PLS), during level one of the national lockdown.

**RECOMMENDATION TO THE COUNCIL:**

that the reduction to the amount of R1,810.00 (incl. VAT) of the launching tariff with code S1J2B at the Kleinbaai PLS, for the duration of the lockdown alert levels as per the COVID-19 Regulations issued in terms of the Disaster Management Act, 2002 for a maximum consideration for the 2020/2021 Financial Year, **be approved**.

**RESPONSIBLE OFFICIAL :****F MYBURGH****TARGET DATE FOR IMPLEMENTATION :****1 DECEMBER 2020**



**3.  
REVISED FLEET MANAGEMENT POLICY**

5/15/1/2/3

T Steenberg Deputy Director : Community Services

27 October 2020

(028) 313 8982

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**EXECUTIVE SUMMARY**

The purpose of the report is to request the Council to approve the revised Fleet Management Policy.

**RECOMMENDATION TO THE COUNCIL:**

that the revised Fleet Management Policy for Overstrand Municipality **be adopted**.

**RESPONSIBLE OFFICIAL:**

**T STEENBERG**

**TARGET DATE FOR IMPLEMENTATION:**

**TO BE NOTED**

**PORTFOLIO COMMITTEE :  
INFRASTRUCTURE & PLANNING**

**Chairperson :**

**Cllr E Gillion**

**Committee Members :**

**Cllrs D Botha, J Orban,  
S Tebele & V Pungupungu**

**PORTEFEULJEKOMITEE :  
INFRASTRUKTUUR & BEPLANNING**

**Voorsitter :**

**Rdl E Gillion**

**Komiteelede :**

**Rdle D Botha, J Orban,  
S Tebele & V Pungupungu**

**1.  
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS  
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: SEPTEMBER 2020 -  
OCTOBER 2020**

**15/3/11**

**R Kuchar**

**Senior Manager : Town & Spatial Planning**

**22 October 2020**

**(028) 3138900**

**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 26 September 2020 – 22 October 2020.

**RESOLVED:**

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 26 September 2020 – 22 October 2020:

- |     |   |                   |
|-----|---|-------------------|
| 1.  | Erf 347, 14 Main Road, Sandbaai   | 28 September 2020 |
| 2.  | Erf 4317, 68 Fourth Avenue, Kleinmond   | 28 September 2020 |
| 3.  | Erf 4514, 40 Second Avenue, Kleinmond   | 28 September 2020 |
| 4.  | Erf 5012, Berghof Drive, Berghof, Onrustrivier                                    | 12 October 2020   |
| 5.  | Erf 1592, 31 Fisante Street, Vermont  | 12 October 2020   |
| 6.  | Erf 2918, 61 Atlantic Drive, Onrustrivier   | 12 October 2020   |
| 7.  | Erf 3003, 81 Atlantic Drive, Onrustrivier   | 12 October 2020   |
| 8.  | Erf 552, 7 Strandloper Avenue, Vermont  | 12 October 2020   |
| 9.  | Portion 2 of the Farm No 933, Division Caledon                                    | 13 October 2020   |
| 10. | Erven 380 and 744, 2 Caledon Street and 5 Protea Street, Stanford                 | 13 October 2020   |
| 11. | Erf 1694, 14 Reservoir Street, Voëlklip, Hermanus                                 | 13 October 2020   |
| 12. | Erf 3009, 91 Atlantic Drive, Onrustrivier   | 20 October 2020   |
| 13. | Erf 745, 21 Fulmar Road, Vermont  | 20 October 2020   |
| 14. | Erf 2464, 26 Angler's Road, Betty's Bay   | 20 October 2020   |
| 15. | Erf 3435, 19 Gerrit Maritz Street, Kleinmond                                      | 20 October 2020   |
| 16. | Erf 5480, 16 Doringboom Avenue, Kleinmond   | 20 October 2020   |
| 17. | Erven 10527, 10528, 10529, 10530 and 10532, Mariners Village, Westcliff, Hermanus | 21 October 2020   |

that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA for September 2020 that took place on 6 October 2020:

- |    |   |                |
|----|---|----------------|
| 1. | Erf 11054, 2 Royal Street, Northcliff, Hermanus | 6 October 2020 |
| 2. | Erf 2340, 15 Arum Road, Hermanus                | 6 October 2020 |

3. Erven 107, 109 and 110, Van Dyk and Geelbek Streets, Van Dyksbaai (Kleinbaai) 6 October 2020
4. Portion of Erf 243, Erven 6462, 6464, 6465, 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 – 6490, 6974, 7701, a portion of Erf 7684, Erf 11472 and Erf 11892, Hermanus (Mount Pleasant) and a portion of Erf 243, Hospital Road, Hermanus (Westdene) 6 October 2020
5. Erf 848, 28 High Street, Northcliff, Hermanus 6 October 2020

**RESPONSIBLE OFFICIAL :**

**R VAN ANTWERP**

**TARGET DATE FOR IMPLEMENTATION :**

**11 DECEMBER 2019**

2.

**ERF 2857 (A PORTION OF ERF 2825) SANDBAAI (SITUATED IN MAIN ROAD, SANDBAAI): RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO APOSTOLIC FAITH MISSION OF S.A, HERMANUS CONGREGATION FOR PARKING AND RECREATIONAL PURPOSES**

7/2/3/1

A Le Roux

Manager: Property Administration

11 September 2020

(028) 316 - 5623

### **EXECUTIVE SUMMARY**

To obtain approval to enter into a further lease agreement with the Apostolic Faith Mission of S.A, Hermanus Congregation (hereinafter referred to as the "Applicant") for a period of 9 (NINE) years and 11 (ELEVEN) months in respect of municipal property, being Erf 2857 (a portion of Erf 2825) Sandbaai (3,280m<sup>2</sup> in extent) situated in the Main Road, Sandbaai, with the entrance from Long Street (hereinafter referred to as the "Land"), for parking and recreational purposes.

### **RESOLVED:**

1. that the further lease of municipal property, being Erf 2857 (a portion of Erf 2825) Sandbaai, (3,280m<sup>2</sup> in extent), to the Apostolic Faith Mission of S.A, Hermanus Congregation, for parking and recreational purposes for a period of 9 (NINE) years and 11 (ELEVEN) months as from 18 September 2020 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved;**
2. that the rental be determined at R147.83 (ONE HUNDRED AND FORTY SEVEN RAND AND EIGHTY THREE CENTS) (VAT excluded) per month for the period from 1 May 2020 to 30 June 2020 and R154.78 (ONE HUNDRED AND FIFTY FOUR RAND AND SEVENTY EIGHT CENTS) (VAT excluded) per month as of from 1 July 2020 for the 2020/2021 financial year, as determined in the tariffs stipulated in the Annual Budget as approved by Council; and
3. that the rental amount mentioned in 2 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 2021.

**RESPONSIBLE OFFICIAL:**

**N LIEBENBERG**

**TARGET DATE FOR IMPLEMENTATION:**

**16 DECEMBER 2020**

**TARGET DATE TO INFORM APPLICANT:**

**9 DECEMBER 2020**

3.

**A PORTION OF REMAINDER ERF 4771 HERMANUS, ADJACENT TO ERF 7503 HERMANUS (SITUATED NEAR FIRST STREET, VOËLKLIP): RENEWAL OF ENCROACHMENT ONTO MUNICIPAL PROPERTY - SMITH FAMILY TRUST**

7/2/3/1

A Le Roux

Manager: Property Administration

12 October 2020

(028) 316 - 5623

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**EXECUTIVE SUMMARY**

To consider the application received from the Smith Family Trust (hereinafter referred to as "the Applicant") for the renewal of an encroachment agreement for a period of 5 (FIVE) years in respect of municipal property, being a portion of Remainder Erf 4771 Hermanus, ( $\pm 300\text{m}^2$  in extent) adjacent to Erf 7503 Hermanus (hereinafter referred to as "the Property"), situated near First Street, Voëlklip, for gardening purposes.

**RESOLVED:**

1. that the renewal of an encroachment agreement for an encroachment of  $\pm 300\text{m}^2$  in extent onto municipal property, being a portion of Remainder Erf 4771 Hermanus, adjacent to Erf 7503 Hermanus entered into with the Smith Family Trust for the purpose of a garden on the public place **not be approved**; and
2. that the applicant must rehabilitate the portion of municipal property, as mentioned in 1 above, within three (3) months in accordance to the recommendations and to the satisfaction of the Manager: Biodiversity Conservation, Environmental Management Services: Mr Tarron Dry.

**RESPONSIBLE OFFICIAL:****N LIEBENBERG****TARGET DATE FOR IMPLEMENTATION:****18 DECEMBER 2020****TARGET DATE TO INFORM APPLICANT:****9 DECEMBER 2020****TARGET DATE TO INFORM OBJECTOR:****N/A**

4.

**A PORTION OF REMAINDER ERF 243 HERMANUS (SITUATED IN MALVA STREET, MOUNT PLEASANT) KNOWN AS THE MOUNT PLEASANT BUSINESS CENTRE: DEVIATION FROM PARAGRAPH 18 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO RENEW THE LEASE OF MUNICIPAL PROPERTY TO MOUNT PLEASANT BUSINESS CENTRE COMMITTEE**

7/2/3/1

A Le Roux

Manager: Property Administration

9 October 2020

(028) 316 - 5623

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**EXECUTIVE SUMMARY**

To obtain approval from the Executive Mayor to enter into a further lease agreement with Mount Pleasant Business Centre Committee, hereinafter referred to as “the Committee”, for a period of 9 (NINE) years and 11 (ELEVEN) months in respect of a portion of Remainder Erf 243 Hermanus (situated in Malva Street, Mount Pleasant) ( $\pm 1,400\text{m}^2$  in extent), hereinafter referred to as “the Property”, for the purpose of managing, leasing, sub-letting, supervising and maintaining the Mount Pleasant Business Centre as a community project; and

To obtain approval from Council for the deviation from paragraph 18 of the Administration of Immovable Property Policy of 2015 allowing the Municipality to enter into a further lease agreement with the Committee in respect of the Property without following a competitive process.

**RESOLVED:**

1. that the lease of municipal property, being a portion of Remainder Erf 243 Hermanus ( $\pm 1,400\text{m}^2$  in extent), to Mount Pleasant Business Centre Committee, for the purpose of managing, sub-letting, supervising and maintaining the Mount Pleasant Business Centre as a community project and related purposes at the rental amount of R154.78 (ONE HUNDRED AND FIFTY FOUR RAND AND SEVENTY EIGHT CENTS) (VAT excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months from 1 October 2020 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 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 2021;
3. that a designated official of the Directorate Economic and Social Development and Tourism be appointed as Chairperson of the Committee; and

4. that the approval in 1 above be subject to Council approving a deviation from paragraph 18 of the Administration of Immovable Property Policy of 2015.

**RECOMMENDATION TO THE COUNCIL:**

that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to renew the lease agreement with Mount Pleasant Business Centre Committee for a further period of 9 (NINE) years and 11 (ELEVEN) months without following a competitive process, **be approved**.

**RESPONSIBLE OFFICIAL:****W MURTZ****TARGET DATE FOR IMPLEMENTATION:****31 DECEMBER 2020****TARGET DATE TO INFORM APPLICANT:****18 DECEMBER 2020****TARGET DATE TO INFORM OBJECTOR:****N/A**



5.

**A PORTION OF REMAINDER ERF 243 HERMANUS (ROTARY DRIVE):  
RESCISSION OF COUNCIL'S IN PRINCIPLE APPROVAL FOR THE LEASE OF  
MUNICIPAL PROPERTY TO THE HERMANUS ASTRONOMY CLUB**

7/2/3/1

A Le Roux

Manager: Property Administration

13 October 2020

(028) 316-5623

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**EXECUTIVE SUMMARY**

To obtain approval for the rescission of Council's in principle approval dated 1 September 2009 for the lease of a portion of Remainder Erf 243 Hermanus (Rotary Drive), ±5,700m<sup>2</sup> in extent, hereafter referred to as "the Property", for a period of 9 years and 11 months to the Hermanus Astronomy Club, hereafter referred to as "the Club".

**RECOMMENDATION TO THE COUNCIL:**

that the Council resolution dated 1 September 2009 in respect of the in principle approval for the direct lease of a portion of Erf 243 Hermanus (Rotary Drive) for a period of 9 (NINE) years and 11 (ELEVEN) months to the Hermanus Astronomy Club at a rental amount of R100.00 (ONE HUNDRED RAND ALONE) (VAT included) per month, **be rescinded.**

**RESPONSIBLE OFFICIAL :****M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****15 DECEMBER 2020****TARGET DATE TO INFORM APPLICANT :****15 DECEMBER 2020****TARGET DATE TO INFORM OBJECTOR :****N/A**

6.

**IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF ERF 2467 GANSBAAI ADJACENT TO ERF 2474 GANSBAAI SITUATED BETWEEN 25 AND 27 BERGGANS STREET, GANSBAAI TO EL ALDRICH**

7/2/3/2

A Le Roux

Manager: Property Administration

18 September 2020

(028) 316 - 5623

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**EXECUTIVE SUMMARY**

To obtain approval in principle for the direct alienation of a portion of Erf 2467 ( $\pm 125\text{m}^2$  in extent) Gansbaai adjacent to Erf 2474 Gansbaai, situated between 25 and 27 Berggans Street, Gansbaai, to the owner of Erf 2474 Gansbaai, being EL Aldrich.

**RECOMMENDATION TO THE COUNCIL:**

1. that the direct alienation of a portion of Erf 2467 (adjacent to Erf 2474) Gansbaai situated in Berggans Street,  $\pm 125\text{m}^2$  in extent, to the owner of the adjoining Erf 2474 Gansbaai, EL Aldrich, at an amount of R172.80/m<sup>2</sup> (ONE HUNDRED AND SEVENTY TWO RAND AND EIGHTY CENTS PER SQUARE METRE) (VAT excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as the subject portion of Erf 2467 Gansbaai can be 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 2467 Gansbaai must be consolidated with the adjoining property of EL Aldrich, being Erf 2474 Gansbaai;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on the portion of Erf 2467, which condition must be registered against the title deed of the consolidated property;
6. that the alienation of the portion of Erf 2467 Gansbaai be subject to a suspensive condition that the Applicant obtains approval for the closure of a public place, subdivision, rezoning, consolidation, amendment of and all related town planning approvals applicable;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, amendment of conditions of approval, closure of a public place, subdivision, rezoning, consolidation, transfer and related costs, advertisements, etc. be paid by the Applicant, EL Aldrich; and

8. 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:**

**31 DECEMBER 2020**

**TARGET DATE TO INFORM APPLICANT:**

**18 DECEMBER 2020**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

7.

**IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION 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

18 September 2020

(028) 316 - 5623

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**EXECUTIVE SUMMARY**

To obtain approval in principle for the direct alienation of Erf 4913 (107m<sup>2</sup> in extent) Hermanus, adjacent to Erf 341 Hermanus, situated at 24 Westcliff Road, Westcliff, to the owner of Erf 341 Hermanus, being JC Davis.

**RECOMMENDATION TO THE COUNCIL:**

1. that the direct alienation of Erf 4913 Hermanus (adjacent to Erf 341 Hermanus) situated in Westcliff Road, 107m<sup>2</sup> 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) be **approved in principle**;
2. that it be noted that the direct alienation is possible as Erf 4913 Hermanus can be 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 Erf 4913 Hermanus must be consolidated with the adjoining property of JC Davis, being Erf 341 Hermanus;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on Erf 4913 Hermanus, which condition must be registered against the title deed of the consolidated property;
6. that the alienation of Erf 4913 Hermanus be subject to a suspensive condition that the Applicant obtains at own cost all the applicable town planning approvals;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, closure of public road, rezoning, consolidation, transfer and related costs, advertisements, etc. be paid by the Applicant, JC Davis; and

8. 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:**

**31 DECEMBER 2020**

**TARGET DATE TO INFORM APPLICANT:**

**15 DECEMBER 2020**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

8.

**IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF UNREGISTERED ERF 9899 (A PORTION OF ERF 9894) HERMANUS, SITUATED IN ELEVENTH STREET, VOËLKLIP TO WL GREEFF**

7/2/3/2

A Le Roux

Manager: Property Administration

6 October 2020

(028) 316 - 5623

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**EXECUTIVE SUMMARY**

To obtain approval in principle for the direct alienation of unregistered Erf 9899 (a portion of Erf 9894) Hermanus (198m<sup>2</sup> in extent), situated in Eleventh Street, Voëlklip, to the owner of Erf 3505 Hermanus, being WL Greeff.

**RECOMMENDATION TO THE COUNCIL:**

1. that the direct alienation of unregistered Erf 9899 (a portion of Erf 9894) Hermanus situated at Eleventh Street in Voëlklip, 198m<sup>2</sup> in extent, to the owner of the adjoining Erf 3505 Hermanus, WL Greeff, at an amount of R650,000.00 (SIX HUNDRED AND FIFTY THOUSAND RAND) (VAT Excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as unregistered Erf 9899 (a portion of Erf 9894) Hermanus can be 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 unregistered Erf 9899 (a portion 9901) Hermanus must be consolidated with the adjoining property of WL Greeff, being Erf 3505 Hermanus;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on unregistered Erf 9899 (a portion of Erf 9894) Hermanus, which condition must be registered against the title deed of the consolidated property;
6. that the alienation of unregistered Erf 9899 (a portion of Erf 9894) Hermanus be subject to a suspensive condition that the Applicant obtains approval for the Town Planning processes, including the relaxation of the southern (rear) building line of the consolidated property from 15.58m to 12.58m;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, rezoning, consolidation, application for relaxation of the southern (rear) building line, transfer and related costs, advertisements, etc. be paid by the Applicant, WL Greeff; and

8. 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:**

**18 DECEMBER 2020**

**TARGET DATE TO INFORM APPLICANT:**

**31 DECEMBER 2020**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

9.

**ERVEN 942 AND 943, 69 & 71 DREYER STREET, STANFORD: APPLICATION FOR DEVIATION FROM THE OVERSTRAND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, 2006 AND GROWTH MANAGEMENT STRATEGY, 2010: MESSRS WRAP CONSULTANCY ON BEHALF OF HENQUE 3030 CC**

**942 & 943 SSN (3248)**

**R Kuchar Senior Manager : Town & Spatial Planning**

**14 October 2020**

**(028) 313 8900**

### **EXECUTIVE SUMMARY**

An application has been received on 27 September 2019 from Messrs WRAP Consultancy on behalf of Henque 3030 CC on Erven 942 and 943, Stanford for the deviation in terms of the provisions of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law), as well as the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the Overstrand Growth Management Strategy, 2010 (GMS) and Spatial Development Framework, 2006 (SDF) in order to change the reservation from residential land use to commercial land use.

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

that the application in terms of the provisions of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as well as the provisions of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the Overstrand Municipality Spatial Development Framework, 2006 and the Overstrand Municipality Growth Management Strategy, 2010 in order to change the reservation on Erven 942 and 943, Stanford from residential land use to commercial land use, **be approved.**

**RESPONSIBLE OFFICIAL:**

**P ROUX**

**TARGET DATE FOR IMPLEMENTATION:**

**9 DECEMBER 2020**

**TARGET DATE TO INFORM APPLICANT:**

**9 DECEMBER 2020**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

**The meeting adjourned at 10:26**

\_\_\_\_\_  
**DATE**

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**D COETZEE – EXECUTIVE MAYOR**