



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 16 NOVEMBER / NOVEMBA 2022
**VENUE / PLEK / INDAWO : BANQUETING HALL,
CIVIC CENTRE, HERMANUS**
TIME / TYD / IXESHA : 10:15

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

**MINUTES OF AN ORDINARY MEETING OF THE
MAYORAL COMMITTEE
HELD IN THE BANQUETING HALL
ON 16 NOVEMBER 2022, AT 10:15**

PRESENT:

Councillors were present as per attached attendance register.

OFFICIALS PRESENT:







Mr D O'Neill, Municipal Manager
Ms S Reyneke-Naudé, Director : Finance
Mr N Michaels, Director : Protection Services
Ms L Bucchianeri, Representing Dir D Arrison
Ms D Arrison, Director : Management Services
(joined the meeting at 10:30)
Mr S Müller, Director : Infrastructure & Planning
Mr D Lekay, Acting Director : Community Services
Mr T Steenberg, Deputy Director : Operational
Services
Mr R Kuchar, Senior Manager : Town & Spatial
Planning
Ms F Lloyd, Manager : Tourism
Ms A Le Roux, Manager : Property Administration
Ms L de Villiers, Senior Manager : Environmental
Services
Mr A Gcotyelwa, Acting Senior Manager :
Corporate Projects
Ms G Erasmus, Clerk : Auditorium
Ms S Swart: Administrative Officer : Council
Support Services

MINUTES/.....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING

16 NOVEMBER 2022

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

1. OPENING

The Executive Mayor, Ald A Rabie, opened the meeting and allowed a moment of silence.

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, 26 September 2022 at 10:00****RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** on **Monday, 26 September 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, changed the business of the meeting, affording Mr J Radmore from Green Cape time to make a presentation regarding electrification of informal settlements.

The Executive Mayor, Ald A Rabie, congratulated Overstrand Municipality after winning this year's Bioblitz challenge.

**5.
TRIBUNAL: PROPOSAL TO CALL FOR NOMINATIONS FOR EXTERNAL
MEMBERS FOR PLANNING TRIBUNAL**

15/1/3/10/4

R Kuchar

Senior Manager: Town & Spatial Planning

20 October 2022

(028) 313 8087

EXECUTIVE SUMMARY

At Council's Special Meeting held on 29 August 2022, the following resolution were taken regarding the Municipal Planning Tribunal

Under point 8 of the resolution the following:

“that remuneration is according to tariff as contained in Annexure A, subject to the following:

- a) Three (3) hours preparation time be allowed per sitting;*
- b) Tariff per sitting as prescribed, and*
- c) Travel allowance for people who reside or have a property be determined from that property to place of sitting.”*

8(c) could allow for exorbitant travel cost. This item serves to recommend amending this in order to curb financial implications and to make the financial impact more predictable.

RECOMMENDATION TO COUNCIL:

that Council Resolution taken on 29 August 2022 be amended by amending resolution 8(c) and adding 8(d) to read as follows:

- 8(c) travel allowance for people who reside and have a property in the Overstrand Municipal area be determined from that property to the place of sitting.
- 8(d) people who reside outside of the Overstrand Municipal area will be able to claim a maximum travel allowance for 150km each way.

RESPONSIBLE OFFICIAL:

R KUCHAR

TARGET DATE FOR IMPLEMENTATION:

1 DECEMBER 2022

The Executive Mayor, Ald A Rabie, requested the Deputy Executive Mayor, Cllr L Ntsabo, to take the chair as she, the CFO and the Municipal Manager had to attend a meeting with the Auditor-General.

THE MEETING STOOD DOWN AT 11:03

THE MEETING RESUMED AT 11:05

CLLR L NTSABO TOOK THE CHAIR

6.

TOWNPLANNING TRANSGRESSIONS : PROGRESS REPORT

This item was distributed under separate cover.

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 recommendations under this item shall be minuted in a separate minute book in terms of section 20(2) of the Local Government: Municipal Systems Act, No 32 of 2000 read with Rule 17 of the Council's Rules of Order.

PORTFOLIO COMMITTEE :

PROTECTION SERVICES

Chairperson :

Cllr L Ntsabo

Committee Members :

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

1.
**MONTHLY MONITORING REPORT FOR THE PERIOD 01 – 31 AUGUST 2022:
DIRECTORATE: PROTECTION SERVICES**

5/20

NJ Michaels

Director: Protection Services

14 September 2022

(028) 313 8054

EXECUTIVE SUMMARY

To report on the functioning and activities of the Directorate: Protection Services for the period 01 – 31 August 2022.

RESOLVED:

that the Monthly Monitoring Report of the functioning and activities of the Directorate: Protection Services for the period 01 – 31 August 2022, **be noted**.

RESPONSIBLE OFFICIAL :

NJ MICHAELS

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2022

2.
OVERSTRAND MUNICIPALITY DISASTER MANAGEMENT ANNUAL REPORT

2/B

NJ Michaels

Director: Protection Services

15 September 2022

(028) 313 8054

EXECUTIVE SUMMARY

The purpose of this report is to present to council the Annual Disaster Management Report.

RECOMMENDATION TO THE COUNCIL:

that the Overstrand Disaster Management Annual Report **be noted**.

RESPONSIBLE OFFICIAL :

**NJ MICHAELS
L SMITH**

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2022

**3.
REVIEW OF THE OVERSTRAND MUNICIPALITY DISASTER MANAGEMENT
PLAN**

2/B

NJ Michaels

Director: Protection Services

5 September 2022

(028) 313 8054

EXECUTIVE SUMMARY

The purpose of this 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 which are inevitable.

RESOLVED:

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

RESPONSIBLE OFFICIAL :

NJ MICHAELS

L SMITH

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2022

4.

OVERSTRAND MUNICIPALITY FIRE SEASON PLAN FOR FIRE & EMERGENCY SERVICES, DISASTER MANAGEMENT AND SECURITY SERVICES

17/8/B

NJ Michaels

Director: Protection Services

9 September 2022

(028) 313 8054

EXECUTIVE SUMMARY

The purpose of this report is for Council to take note of the Fire Season Plan for the Overstrand Fire & Emergency Services, Disaster Management and Security Services department. The fire season annually commences on 1 November and runs until 31 May.

RESOLVED:

that the Overstrand Fire & Emergency Services, Disaster Management and Security Services Fire Season Plan **be noted**.

RESPONSIBLE OFFICIAL :**NJ MICHAELS
L SMITH****TARGET DATE FOR IMPLEMENTATION :****30 NOVEMBER 2022**

**5.
OVERSTRAND FESTIVE SEASON PLAN FOR FIRE & EMERGENCY SERVICES,
DISASTER MANAGEMENT AND SECURITY SERVICES**

17/8/B

NJ Michaels

Director: Protection Services

16 September 2022

(028) 313 8054

EXECUTIVE SUMMARY

The purpose of this report is to take note of the Festive Season Plan for Overstrand Fire & Emergency Services, Disaster Management and Security Services department.

RESOLVED:

that the Overstrand Fire & Emergency Services, Disaster Management and Security Services Festive Season Plan 2022/23 **be noted**.

RESPONSIBLE OFFICIAL :

NJ MICHAELS

L SMITH

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2022

**6.
REVIEW OF THE OVERSTRAND MUNICIPALITY DISASTER MANAGEMENT
POLICY**

2/B

NJ Michaels

Director: Protection Services

5 September 2022

(028) 313 8054

EXECUTIVE SUMMARY

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

RECOMMENDATION TO THE COUNCIL:

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

RESPONSIBLE OFFICIAL :

NJ MICHAELS

L SMITH

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2022

7.
**QUARTERLY MONITORING REPORT FOR THE PERIOD JULY - SEPTEMBER
2022: DIRECTORATE: PROTECTION SERVICES**

5/20

NJ Micheals

Director: Protection Services

17 October 2022

(028) 313 8054

EXECUTIVE SUMMARY

To report on the functioning and activities of the Directorate: Protection Services for the period July to September 2022.

RESOLVED:

that the Quarterly Monitoring Report of the functioning and activities of the Directorate: Protection Services for the period July to September 2022, **be noted**.

RESPONSIBLE OFFICIAL :

NJ MICHAELS

TARGET DATE FOR IMPLEMENTATION :

01 DECEMBER 2022

**8.
OVERSTRAND MUNICIPALITY TRAFFIC & LAW ENFORCEMENT FESTIVE
SEASON PLAN FOR THE DIRECTORATE: PROTECTION SERVICES: 2022/2023**

2/1

N J Michaels

Director: Protection Services

18 October 2021

(028) 313 8054

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 01 November 2022 to 16 January 2023 (Festive Season).

RESOLVED:

that the content of the Festive Season Plan: 2022/2023, **be noted**.

RESPONSIBLE OFFICIAL :

**R FRASER
N MICHAELS**

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

PORTFOLIO COMMITTEE :

LOCAL ECONOMIC DEVELOPMENT

Chairperson :

Ald E Gillion

Committee Members :

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

1.
**FIRST QUARTER REPORT – LED AND SOCIAL DEVELOPMENT
(JULY-SEPTEMBER 2022)**

9/1/2/2

S Madikane **Director: Economic and Social Development**
18 October 2022

(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 covers July/August/September regarding services rendered to the community. The efforts form part of the recovery process and are geared to assist with access to livelihoods and opportunities.

RESOLVED:

that the report **be noted**.

RESPONSIBLE OFFICIAL :

**X KOSI
G SMIT**

TARGET DATE FOR IMPLEMENTATION:

16 NOVEMBER 2022

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: JULY 2022 – AUGUST
2022**

15/3/11

R Kuchar

Senior Manager: Town & Spatial Planning

26 October 2021

(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 July 2022 – 15 August 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 July 2022 – 15 August 2022:

- | | | |
|-----|---|---------------|
| 1. | Erf 2641, 1 Berggans Street, Perlemoenbaai, Gansbaai | 20 July 2022 |
| 2. | Erf 8093, 19 Sparrow Hawk Road, Hemel & Aarde Estate, Sandbaai, Hermanus | 22 July 2022 |
| 3. | Erf 2136, 30 Duke Street, Onrustrivier, Hermanus | 22 July 2022 |
| 4. | Erf 2588, 128 10 th Street, Voëlklip, Hermanus | 22 July 2022 |
| 5. | Erf 8312, 61 Kuyasa Street, Kleinmond | 22 July 2022 |
| 6. | Erf 5087, 14 Fonteinhout Avenue, Kleinmond | 25 July 2022 |
| 7. | Erf 4657 & 4658, 1 Kort Street & 7 4 th Avenue, Kleinmond | 27 July 2022 |
| 8. | Erf 11033, 21 Marine Drive, Hermanus | 27 July 2022 |
| 9. | Erf 1771, 3 2 nd Street, Voëlklip, Hermanus | 28 July 2022 |
| 10. | Portion 6, Bouchard Finlayson, Hemel & Aarde, Hermanus | 28 July 2022 |
| 11. | Erf 1183, 15 Bester Crescent, Van Dyksbaai, Gansbaai | 29 July 2022 |
| 12. | Erf 2025, 17 Oker Avenue, Vermont, Hermanus | 2 August 2022 |
| 13. | Erf 2171, 18 Francolin Close, Vermont, Hermanus | 2 August 2022 |
| 14. | Erf 477, Remainder of 65 Church Street, Hawston | 2 August 2022 |
| 15. | Unregistered Erf 8680, Corner of Main Road & 11 th Street, Kleinmond | 2 August 2022 |
| 16. | Erf 1594, 25 Caesar Road, Pringle Bay, Kleinmond | 2 August 2022 |
| 17. | Erf 5453, 81 Viljoen Street, Onrustrivier, Hermanus | 2 August 2022 |
| 18. | Erf 17, Meerenbosch, Hawston | 2 August 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 July 2022:

- | | | |
|----|---|--------------|
| 1. | Erf 463, 17 Sharpie Street, Fisherhaven | 28 July 2022 |
| 2. | Erf 2699, 12 Trewwa Street, Gansbaai | 28 July 2022 |

RESPONSIBLE OFFICIAL:

L SMUTS

TARGET DATE FOR IMPLEMENTATION:

21 NOVEMBER 2022

2.

ERF 800 ZWELIHLE (SITUATED AT 79 HLOBO AVENUE, ZWELIHLE): RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO CAPE HOLY CHRISTIAN APOSTOLIC CHURCH IN ZION

7/2/3/1

A Le Roux

Manager: Property Administration

1 September 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Cape Holy Christian Apostolic Church in Zion (hereinafter referred to as “the Applicant”) for a period of 9 (NINE) years and 11 (ELEVEN) months in respect of municipal property, Erf 800 Zwelihle (690m² in extent) situated at 79 Hlobo Avenue, Zwelihle (hereinafter referred to as “the Property”), for church purposes.

RESOLVED:

1. that the lease of municipal property, being Erf 800 Zwelihle, (690m² in extent), to Cape Holy Christian Apostolic Church in Zion, for church purposes at a 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 March 2021 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 2022; and
3. that the approval in 1 above be subject to the suspensive condition that the Applicant enter into an acknowledge of debt agreement with the finance department for the down payment of the handed over accounts within a period of 3 (THREE) months from the signature date of the lease agreement.

RESPONSIBLE OFFICIAL:**R OCTOBER****TARGET DATE FOR IMPLEMENTATION:****15 NOVEMBER 2022****TARGET DATE TO INFORM APPLICANT:****30 NOVEMBER 2022****TARGET DATE TO INFORM OBJECTOR:****N/A**

3.

PORTION 18 OF THE FARM RIVERSIDE NO. 644 STANFORD (KNOWN AS “DIE KOP”): HISTORY AND CURRENT USE OF THE MUNICIPAL PROPERTY BY THE HERMANUS RAINBOW TRUST AS WELL AS FOOD FOUR THOUGHT COMMUNITY PROJECTS NPC

7/2/3/1

A Le Roux

Manager: Property Administration

28 June 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To inform the Mayoral Committee, as requested, of the history and current use of Portion 18 of Farm Riverside No. 644 Stanford (known as “Die Kop”) by the Hermanus Rainbow Trust as well as Food Four Thought Community Projects NPC.

RESOLVED:

that the contents of this report **be noted**.

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

4.

TWO PORTIONS OF PORTION 242 OF THE FARM AFDAKS RIVIER NO. 575: LEASE, DEVELOPMENT, MANAGEMENT AND MAINTENANCE OF MUNICIPAL PROPERTY FOR THE PURPOSE OF DEVELOPING A CREMATORIUM COMPLEX FOR A CONTRACT PERIOD OF 45 (FORTY-FIVE) YEARS

7/2/3/1

A Le Roux

Manager: Property Administration

14 September 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To inform the Executive Mayor of the intent to proceed with a tender process for the lease, development, management and maintenance of two portions of Portion 242 of the Farm Afdaks Rivier No. 575 for the purpose of developing a crematorium complex for a contract period of 45 (forty-five) years.

RESOLVED:

that the Municipality proceeds with the competitive process for the lease, development, management and maintenance of two portions of Portion 242 of the Farm Afdaks Rivier No. 575 for the purpose of developing a crematorium complex for a contract period of 45 (forty-five) years at a market related rental.

RESPONSIBLE OFFICIAL :**R MARINUS****TARGET DATE FOR IMPLEMENTATION :****15 DECEMBER 2022**

5.

ERF 9515 ZWELIHLE KNOWN AS “THE ZWELIHLE MALL”: DEVIATION FROM PARAGRAPH 18 AND 20.1(B) OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO TEMPORARILY RENEW THE LEASE OF MUNICIPAL PROPERTY TO PEMZO CONSTRUCTION CC FOR A SHORT-TERM PERIOD - FINALISATION OF THE TENDER PROCESS

7/2/3/1

A Le Roux

6 October 2022

Manager: Property Administration

(028) 316-5623

EXECUTIVE SUMMARY

To obtain approval from the Executive Mayor to enter into a further short-term lease agreement of 8 (EIGHT) months or 1 (ONE) month after tender award with Pemzo Construction CC in respect of Erf 9515 Zwelihle, $\pm 1,280\text{m}^2$ in extent, for the purpose to manage, sub-lease, supervise and maintain the property; and

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 further short-term lease agreement with Pemzo Construction CC in respect of Erf 9515 Zwelihle, $\pm 1,280\text{m}^2$ in extent, for the purpose to manage, sub-lease, supervise and maintain the property, without following a competitive bidding process; and

To obtain approval from Council for the deviation from paragraph 20.1(b) of the Administration of Immovable Property Policy (as approved by Council on 25 November 2015) allowing the Municipality to enter into a further short-term lease agreement with Pemzo Construction CC in respect of Erf 9515 Zwelihle, $\pm 1,280\text{m}^2$ in extent, for the purpose to manage, sub-lease, supervise and maintain the property, without following a public participation process.

RESOLVED:

1. that the short-term renewal of the lease of Erf 9515 Zwelihle, $\pm 1,280\text{m}^2$ in extent, to Pemzo Construction CC for a period of 8 (EIGHT) months or 1 (ONE) month after the award of the tender, whichever one comes first, from 1 June 2022 for business purposes to manage, sub-lease, supervise and maintain the property, at a rental amount of R25,517,04 (TWENTY FIVE THOUSAND FIVE HUNDRED AND SEVENTEEN RAND AND FOUR CENTS) (Excluding VAT) per month and in the event that the Municipality takes occupation of the top part of the building on Erf 9515 Zwelihle, the short-term renewal of the lease for the bottom part of the building on Erf 9515 Zwelihle at a rental amount of R11,700.00 (ELEVEN THOUSAND SEVEN HUNDRED RAND) (VAT Excluded) per month, **be approved**; and

2. that the abovementioned approval be subject to Council approving the deviation from paragraphs 18 and 20.1(b) of the Administration of Immovable Property Policy of 2015.

RECOMMENDATION TO THE COUNCIL:

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 Pemzo Construction CC for a period of 8 (EIGHT) months or 1 (ONE) month after the award of the tender, whichever one comes first, 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 Pemzo Construction CC for a period of 8 (EIGHT) months or 1 (ONE) month after the award of the tender, whichever one comes first, without following a public participation process, **be approved**.

RESPONSIBLE OFFICIAL :**R MARINUS****TARGET DATE FOR IMPLEMENTATION :****15 DECEMBER 2022****TARGET DATE TO INFORM APPLICANT :****15 DECEMBER 2022**

6.
TRANSFER OF UNREGISTERED ERF 6291 (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
8 September 2022

(028) 316 – 5623

EXECUTIVE SUMMARY

To obtain final approval for the transfer of Unregistered Erf 6291 (a portion of Erf 2467) Gansbaai adjacent to Erf 2474 Gansbaai, situated between 25 and 27 Berggans Street, Gansbaai, 135m² in extent, to the owner of Erf 2474 Gansbaai, being EL Aldrich.

RECOMMENDATION TO THE COUNCIL:

1. that the transfer of Unregistered Erf 6291 (a portion of Erf 2467) Gansbaai (adjacent to Erf 2474 Gansbaai) situated in Berggans Street, Gansbaai, 135m² in extent, to the owner of the adjoining Erf 2474 Gansbaai, EL Aldrich, at an amount of R23,328.00 (TWENTY-THREE THOUSAND THREE HUNDRED AND TWENTY-EIGHT RAND) (VAT excluded) for the purpose of gardening and retention of 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 6291 (a portion of Erf 2467) Gansbaai is classified as a non-viable property;
3. that it be noted that a condition for the transfer is that the said Erf 6291 (a portion of Erf 2467) Gansbaai must be consolidated with the adjoining property of EL Aldrich, being Erf 2474 Gansbaai;
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 and no structures, excluding a boundary fence or wall, may be erected thereon;
5. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, closure of public place, subdivision, rezoning, consolidation, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser; and
6. 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 Immoveable 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 2022

TARGET DATE TO INFORM APPLICANT:

19 DECEMBER 2022

TARGET DATE TO INFORM OBJECTOR:

N/A

7.

ZWELIHLE: RECISSION OF COUNCIL RESOLUTION DATED 28 SEPTEMBER 2010 FOR THE ALIENATION OF ERF 88 ZWELIHLE AND ERF 40 ZWELIHLE – ZWELIHLE COMMUNITY DEVELOPMENT TRUST

7/2/3/2

Anja Le Roux

Manager: Property Administration

7 October 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To obtain approval for the rescission of the Council's resolution dated 28 September 2010 in respect of the alienation of Erf 40 Zwelihle (1,272m² in extent) and Erf 88 Zwelihle (942m² in extent) to the Zwelihle Community Development Trust ("ZCDT"), both situated in Lusiba Street, Zwelihle.

RECOMMENDATION TO THE COUNCIL:

that the whole of Council's resolution dated 29 September 2010 for the alienation of Erf 88 Zwelihle and Erf 40 Zwelihle to the Zwelihle Community Development Trust, **be rescinded**.

RESPONSIBLE OFFICIAL:**A LE ROUX****TARGET DATE FOR IMPLEMENTATION:****12 DECEMBER 2022**

8.

IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF REMAINDER ERF 5504 KLEINMOND, ADJACENT TO ERF 4711 KLEINMOND, SITUATED IN LOWER BEACH ROAD (PORTION OF PUBLIC OPEN SPACE), KLEINMOND, TO EILEEN THORN FAMILY TRUST

7/2/3/2

A Le Roux

Manager: Property Administration

27 September 2022

(028) 316 - 5623

EXECUTIVE SUMMARY

To obtain approval in principle for the direct alienation of a portion of Remainder Erf 5504 Kleinmond ($\pm 65\text{m}^2$ in extent) adjacent to Erf 4711 Kleinmond, situated in Lower Beach Road, Kleinmond, to the owner of the adjoining property, Erf 4711 Kleinmond, being Eileen Thorn Family Trust.

RECOMMENDATION TO THE COUNCIL:

1. that the direct alienation of a portion of Remainder Erf 5504 Kleinmond (adjacent to Erf 4711 Kleinmond) situated at 30 Lower Beach Road, Kleinmond ($\pm 65\text{m}^2$ in extent), to the owner of the adjoining Erf 4711 Kleinmond, Eileen Thorn Family Trust, at an amount of R2,000.00/m² (TWO THOUSAND RAND) (PER SQUARE METRE) (VAT excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as the said portion of Remainder Erf 554 Kleinmond 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/purchaser;
4. that it be noted that a condition for the alienation will be that the said portion of Remainder Erf 5504 Kleinmond must be consolidated with the adjoining property of Eileen Thorn Family Trust, being Erf 4711 Kleinmond;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on the said portion of Remainder Erf 5504 Kleinmond, which condition must be registered against the title deed of the consolidated property;

6. that the alienation of said portion of Remainder Erf 5504 Kleinmond be subject to a suspensive condition that the applicant/purchaser obtains approval for all the required land use rights, which may include, the closure of public open space, rezoning, subdivision and consolidation;
7. 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, Eileen Thorn Family Trust; 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:****15 DECEMBER 2022****TARGET DATE TO INFORM APPLICANT:****30 DECEMBER 2022****TARGET DATE TO INFORM OBJECTOR:****N/A**

**9.
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: AUGUST 2022 –
SEPTEMBER 2022**

15/3/11

R Kuchar

Senior Manager: Town & Spatial Planning

26 October 2021

(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 16 August 2022 – 15 September 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 August 2022 – 15 September 2022:

- | | | |
|-----|--|-------------------|
| 1. | Erf 1292, 25 Edward Road, Pringle Bay | 2 August 2022 |
| 2. | Erf 204, 33 Park Road, Fisherhaven, Hermanus | 10 August 2022 |
| 3. | Portion Of Erf 2715 & Erf 3463 , Betty's Bay | 16 August 2022 |
| 4. | Erf 4022, 281 Fourth Street, Voëlklip, Hermanus | 16 August 2022 |
| 5. | ERF 1739, Sectional Title Unit 9, Watsonia Park Development, 49 Long Street Sandbaai, Hermanus | 18 August 2022 |
| 6. | ERF 4294, 286 Fifth Street, Voëlklip, Hermanus | 18 August 2022 |
| 7. | Farm No. 764, Weltevrede, Stanford | 18 August 2022 |
| 8. | Erf 9921, 34 Fernkloof Drive, Hermanus Heights, Hermanus | 19 August 2022 |
| 9. | Erf 648, 55 Main Road, Northcliff, Hermanus | 23 August 2022 |
| 10. | Erf 1169, Christine Crescent, Franskraal | 23 August 2022 |
| 11. | Erf 3529, 19 Old Main Road, Onrustrivier, Hermanus | 29 August 2022 |
| 12. | Erf 4913 (A Portion Of Erf 341) And Remainder Erf 341, 5 Rocklands Road And Westcliff Road 24, Westcliff, Hermanus | 30 August 2022 |
| 13. | Erf 1827, 1 Hemel-En-See Avenue And Erf 1962, 9 Sienna Street, Vermont, Hermanus | 12 September 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 1 September 2022:

- | | | |
|----|---|------------------|
| 1. | Erf 1449, Lynx Road, Vermont | 1 September 2022 |
| 2. | Erf 3266, 21 Main Road, Onrustrivier | 1 September 2022 |
| 3. | Erf 6114, 49 6th Street, Voëlklip, Hermanus | 1 September 2022 |

RESPONSIBLE OFFICIAL :

L SMUTS

TARGET DATE FOR IMPLEMENTATION:

21 NOVEMBER 2022

10.

A PORTION OF REMAINDER ERF 4771 HERMANUS KNOWN AS “THE NAUTILLUS PROPERTY”: DEVIATION FROM PARAGRAPH 18 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A TEMPORARY LEASE AGREEMENT WITH JACKALSVLEI (PTY) LTD FOR A SHORT-TERM PERIOD PENDING THE FINALISATION OF THE TENDER PROCESS

7/2/3/1

A Le Roux

Manager: Property Administration

18 October 2022

(028) 316-5623

EXECUTIVE SUMMARY

To obtain approval from Council to deviate 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 short-term lease agreement with Jackalsvlei (Pty) Ltd (the “Applicant”) for a period of 3 (THREE) months in respect of a portion of Remainder Erf 4771 Hermanus ($\pm 500\text{m}^2$ in extent) (the “Property”), for the purpose of operating a summer lounge, without following a competitive bidding process.

RECOMMENDATION TO THE COUNCIL:

1. that the deviation from paragraph 18 of the Administration of Immovable Property Policy (2015) in order to enter into a lease agreement with Jackalsvlei (Pty) Ltd for a short-term period of 3 (THREE) months to lease a portion of Remainder Erf 4771 Hermanus, $\pm 500\text{m}^2$ in extent, for the purpose of operating a summer lounge at a total rental amount of R43,502.46 (FOURTY THREE THOUSAND FIVE HUNDRED AND TWO RAND AND FORTY-SIX CENTS) (VAT included) for the period, without following a competitive process, **be approved**; and
2. that a condition be included in the lease agreement that the lessee must make use of local labour (as waiters/waitresses/cleaners/etc.) during the period of the lease.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

15 DECEMBER 2022

TARGET DATE TO INFORM APPLICANT :

15 DECEMBER 2022

11.

OVERSTRAND MUNICIPALITY: PUBLIC PLACE TRADING POLICY

2/B

R Kuchar

Senior Manager : Town & Spatial Planning

11 October 2022

(028) 313 8019

EXECUTIVE SUMMARY

Before the creation of the Overstrand Municipality, each individual Municipality (Hermanus, Gansbaai, Kleinmond, etc) had their own Informal Trading Policies.

The item serves to provide a new Public Place Trading Policy for the Overstrand Municipal Area. The purpose of the policy is to regulate where, when, how and who may trade on municipal public places.

RECOMMENDATION TO THE COUNCIL:

that the Overstrand Municipality: Public Place Trading Policy **be accepted** and that it be advertised for public comments before resubmitted to Council for adoption.

RESPONSIBLE OFFICIAL :**R KUCHAR****TARGET DATE FOR IMPLEMENTATION :****1 DECEMBER 2022**

12.

AMENDMENTS AND ADDITIONS TO THE DELEGATION OF POWERS AND DUTIES: MUNICIPAL MANAGER

2/5/3

D O'Neill

Municipal Manager

18 October 2022

(028) 313 8003**EXECUTIVE SUMMARY**

The purpose of the report is to obtain approval for amendments and additions to the Municipal Manager's delegations of powers and duties conferred on him.

RESOLVED:

that the item **be withdrawn**.

RESPONSIBLE OFFICIAL :**A LE ROUX****TARGET DATE FOR IMPLEMENTATION :****9 DECEMBER 2022**

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr R Nutt

Committee Members :

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

1.
**PERFORMANCE REPORT: BASIC SERVICE DELIVERY WITHIN THE
DIRECTORATE: COMMUNITY SERVICES FOR THE PERIOD 1 JULY 2021 TO
30 JUNE 2022**

17/9/1/1

T Steenberg

Deputy Director: Operational Services

14 October 2022

(028) 313 8982

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the basic service delivery activities performed during the period 1 July 2021 to 30 June 2022.

RESOLVED:

that the Performance Report in respect of the basic service delivery within the Directorate: Community Services for the period 1 July 2021 to 30 June 2022, **be noted**.

RESPONSIBLE OFFICIAL :

**T STEENBERG
T MARX
J SOLOMONS
D VAN RHODIE
D NEL**

TARGET DATE FOR IMPLEMENTATION :

ONGOING

**2.
BUSINESS PLAN: ROAD RESEAL 2022/2023**

16/3/1

T Steenberg

Deputy Director: Operational Services

14 October 2022

(028) 313 8982

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the Road Reseal Priorities and Pavement Management Processes.

RESOLVED:

that the report regarding the Pavement Management processes and road reseal priorities for 2022/23 financial year **be noted**.

RESPONSIBLE OFFICIALS :

**TP STEENBERG
D VAN RHODIE
T MARX
J SOLOMONS
D NEL**

TARGET DATE FOR IMPLEMENTATION :

1 DECEMBER 2022

3.

OPERATIONAL PLAN: FESTIVE SEASON: 2022/23

2/1

FRJ Williams
October 2022

Director: Community Services

(028) 313 8029

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 number of visitors during the period from 1 December 2022 until 22 January 2023.

RESOLVED:

that the content of the Operational Plan: Festive Season: 2022/2023, which is to be executed by the Directorate: Community Services, **be noted**.

RESPONSIBLE OFFICIALS :

**T STEENBERG
A GCOTYELWA
L RAINBIRD
A WYNGAARD
F MYBURGH
D LAKEY
B PLAATJIES
T MARX
D VAN RHODIE
J SOLOMONS**

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

4.
**BENEFICIARIES: INTEGRATED RESIDENTIAL DEVELOPMENT PROGRAMME
(IRDP):621 SITES, STANFORD**

17/5/4/1

TA Gcotyelwa

Acting Senior Manager: Corporate Projects

14 October 2022

(028) 313 8144

EXECUTIVE SUMMARY

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

RESOLVED:

1. that the lists of potential beneficiaries from the housing demand database, Stanford **be noted**;
2. that the 10% of housing opportunities reserved for potential beneficiaries residing outside the catchment area of Stanford be allocated to potential beneficiaries on the housing demand database for Bettys Bay, Kleinmond, Hawston, Mount Pleasant, Zwelihle and Gansbaai;
3. that the following procedure for potential beneficiaries to finalise subsidy applications, **be approved**:
 - (a) that potential beneficiaries be given 30 days written notice to complete their subsidy application documentation; and
 - (b) that potential beneficiaries that do not respond to the first notice (30 days) be given a final written notice of 7 days.
4. in the event of any applicants not responding within the mentioned period of 7 days, the available housing opportunities be given to identified additional beneficiaries (replacements).

RESPONSIBLE OFFICIAL :

**ACTING SENIOR MANAGER :
CORPORATE PROJECTS**

TARGET DATE FOR IMPLEMENTATION :

01 DECEMBER 2022

**PORTFOLIO COMMITTEE :
MANAGEMENT SERVICES**

Chairperson :

Cllr F Africa

Committee Members :

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

1.
AMENDMENTS AND ADDITIONS TO THE DELEGATION OF POWERS AND DUTIES: MUNICIPAL MANAGER: HUMAN RESOURCES

2/5/3

D Arrison

Director : Management Services

08 September 2022

(028) 313 8004

EXECUTIVE SUMMARY

The purpose of the report is to obtain approval for amendments and additions to the Municipal Manager's delegations of powers and duties conferred on him.

RECOMMENDATION TO THE COUNCIL:

that the amendments and additions to the Municipal Manager's delegations of powers and duties conferred on him, **be approved**.

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

15 DECEMBER 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 REPORT: SEPTEMBER & OCTOBER 2022

9/1/2/2

F Lloyd

1 November 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 September and October 2022.

RESOLVED:

that the monthly tourism report for September and October 2022 **be noted**.

RESPONSIBLE OFFICIAL :

F LLOYD

TARGET DATE FOR IMPLEMENTATION :

30 NOVEMBER 2022

**2.
MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR OCTOBER 2022**

8/2/2

C Le Roux

Deputy Director: Finance & SCM

03 November 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 October 2022.

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for October 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 October 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 October 2022, **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

**3.
ANNUAL REVIEW OF CONSUMER DEPOSITS**

5/17/1

**SG Reyneke-Naudé
19 September 2022**

Director: Finance

(028) 313 8040

EXECUTIVE SUMMARY

The purpose of the report is to present Council with a recommendation that the annual review of consumer deposits terms of the Customer Care, Credit Control & Debt Collection Policy, be implemented in a phased approach in equal portions from November 2022 up to May 2023 for the 2022/2023 financial year.

RECOMMENDATION TO THE COUNCIL:

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.

RESPONSIBLE OFFICIAL :

EM HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

31 DECEMBER 2022

The meeting adjourned at 12:30

DATE

DR. A RABIE - EXECUTIVE MAYOR