



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

**DATE / DATUM / UMHLA : 28 OCTOBER / OKTOBER /
OKTOBHA 2020**

**VENUE / PLEK / INDAWO : AUDITORIUM / OUDITORIUM
CIVIC CENTRE / BURGERSENTRUM / IZIKO LOLUNTU
HERMANUS**

TIME / TYD / IXESHA : 12:00

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

MINUTES OF AN ORDINARY MEETING OF THE MAYORAL COMMITTEE HELD IN THE AUDITORIUM, CIVIC CENTRE, HERMANUS, ON 28 OCTOBER 2020, AT 12:00

PRESENT: Councillors were present as per attached attendance register.

OFFICIALS PRESENT: Mr C Groenewald, 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
Mr H Blignaut, Deputy Director : Engineering Services
Ms R Louw, Senior Manager : Strategic Services
Mr D Lakey, Senior Manager : Kleinmond Administration
Mr F Myburgh, Senior Manager : Gansbaai Administration
Mr L Smith, Chief : Fire & Rescue & Disaster Management
Mr D Hendriks, Senior Manager : Engineering Services
Ms H van Tonder, Manager : Council Support Services
Ms A Le Roux, Manager : Property Administration
Mr R Fraser, Chief : Traffic/Licences
Ms J van Asperen, Senior Business Analyst
Ms N Zweni, Manager : Communication
Ms H van der Stoep, Senior Town Planner
Mr S van der Merwe, Senior Town Planner
Ms R Steenekamp, Media and Social Media Liaison Officer
Ms S Swart: Administrative Officer : Council Support Services
Ms G Erasmus, Clerk : Auditorium

MINUTES/.....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING
28 OCTOBER 2020

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F	Apology
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

The Executive Mayor, Ald D Coetzee, observed time for silent prayer. The Municipal Manager, Mr C Groenewald, read the notice convening the meeting.

2. APPLICATIONS FOR LEAVE OF ABSENCE

Cllr F Africa

RESOLVED

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

3. CONFIRMATION OF MINUTES

3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 30 September 2020 at 10:00**

RESOLVED:

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 30 September 2020 at 10:00, be confirmed.**

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

None

**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, SEPTEMBER
2020**

8/2/2

C Le Roux

Deputy Director: Finance & SCM

05 October 2020

(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 September 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 2019, **be noted**; and
2. that the awards made in terms of Paragraph 16(1)(b) and 17(1)(c), approved in terms of the delegated authority for October 2019, **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

6.

PROPOSED AMENDMENT OF CONTRACT: SOFTWARE AND WEBSITE FOR CARAVAN PARK / CAMPING RESERVATIONS FOR A CONTRACT PERIOD ENDING 30 JUNE 2023

8/4

D Lakey

Senior Manager : Kleinmond Administration

J v Asperen

Senior Business Analyst

12 October 2020

(028) 313 8959

EXECUTIVE SUMMARY

Overstrand Municipality has an existing contract with CIMSO Business Solutions Africa (Pty) Ltd for software and website for Caravan Park / camping reservations.

The purpose of this report is to provide the necessary information and motivation for the proposed amendment of Contract **SC1701B/2016: SOFTWARE AND WEBSITE FOR CARAVAN PARK / CAMPING RESERVATIONS**, in terms of 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 the reasons for the proposed amendment of **Contract SC1701B/2016: Software and Website for Caravan park / camping reservations** for a Contract Period ending 30 June 2023, 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), **be noted** and 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 02 October 2020.

RESPONSIBLE OFFICIAL :**D LAKEY
J VAN ASPEREN****TARGET DATE FOR IMPLEMENTATION :****1 NOVEMBER 2020**

7.
**PROPOSED AMENDMENT OF LONG TERM CONTRACT NO. SC 1890/2018:
WATER AND WASTE WATER BULK WORKS OPERATION AND MAINTENANCE**

8/3/1/SC1890/2018

H Blignaut

Deputy Director : Engineering Services

14 October 2020

(028) 313 5047

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation with regard to the proposed second amendment of Contract SC1890/2018: Water and Waste Water Bulk Works Operations and Maintenance, in terms of the enabling provisions of sections 116(3) and 33 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA), to enable Council to make an informed decision whether to consent to the proposed amendment of the contract.

RECOMMENDATION TO THE COUNCIL:

1. that the reasons for and the estimated financial implications of the proposed amendment of Contract SC 1890/2018 between Overstrand Municipality and Veolia Water Solutions & Technologies South Africa (Pty) Ltd for the operation and maintenance of the bulk water and waste water infrastructure, in terms of the enabling provisions of Sections 33 and 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), **be noted**;
2. that the comments received from the Western Cape Provincial Treasury in respect of the proposed amendment of long term Contract SC 1890/2018 between Overstrand Municipality and Veolia Water Solutions & Technologies South Africa (Pty) Ltd for the operation and maintenance of the bulk water and waste water infrastructure, in terms of the enabling provisions of Sections 33 and 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), as well as the inquiry received from National Treasury and the Municipal Manager's response to National Treasury **be noted**; and
3. that the proposed amendment of Contract SC 1890/2018 between Overstrand Municipality and Veolia Water Solutions & Technologies South Africa (Pty) Ltd for the operation and maintenance of the bulk water and waste water infrastructure, **be consented to**.

RESPONSIBLE OFFICIAL:

H BLIGNAUT

TARGET DATE FOR IMPLEMENTATION :

1 NOVEMBER 2020

**8.
QUARTERLY BANK ACCOUNT WITHDRAWALS IN TERMS OF SECTION 11(4) OF
THE MFMA FOR THE QUARTER ENDED SEPTEMBER 2020**

5/18/R

BA King

Senior Manager: Financial Services

21 October 2020

(028) 313 8154

EXECUTIVE SUMMARY

Report prepared as part of the financial reporting obligations arising from section 11(4) of the Local Government: Municipal Finance Management Act, 2003 (MFMA).

RECOMMENDATION TO THE COUNCIL:

that the consolidated quarterly report, as per Annexure A to the item, in respect of Bank Account Withdrawals in terms of Section 11(4) of the MFMA for the quarter ended September 2020, **be noted**.

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

**9.
SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT – 2020/2021:
1ST QUARTER: 1 JULY 2020 – 30 SEPTEMBER 2020**

8/2/2

C Le Roux

Deputy Director: Finance & SCM

08 October 2020

(028) 313 8107

EXECUTIVE SUMMARY

In terms of Clause 6(3) of Overstrand Municipality's Supply Chain Management Policy, the Municipal Manager must, within 6 business days of each quarter, submit a report on the implementation of the Supply Chain Management Policy to the Executive Mayor.

RECOMMENDATION TO THE COUNCIL:

that the activities undertaken and outcomes achieved in the implementation of the Overstrand Municipality's Supply Chain Management Policy for the 1st Quarter of 2020/2021 **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

**10.
BUDGET REPORT FOR THE QUARTER ENDED SEPTEMBER 2020**

5/1/1/22-2020/2021

BA King Senior Manager: Financial Services

21 October 2020

(028) 313 8154

EXECUTIVE SUMMARY

Report prepared as part of the financial reporting obligations arising from section 52(d) of the Local Government: Municipal Finance Management Act, 2003 (MFMA).

RECOMMENDATION TO THE COUNCIL:

that the budget report for the quarter ended September 2020, prepared as part of the financial reporting obligations arising from the Local Government: Municipal Finance Management Act, 2003 and additional information, **be noted**.

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

11.
**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FIRST QUARTERLY REPORT: JULY- SEPTEMBER 2020**

2/12/1/1

R Louw

Senior Manager: Strategic Services

13 October 2020

(028) 313 8071

EXECUTIVE SUMMARY

The purpose of this report is to provide an executive summary of service delivery performance in terms of the top level SDBIP for the first quarter of the 2020/21 financial year, 1 July 2020 to 30 September 2020.

RECOMMENDATION TO THE COUNCIL:

that the content of the report for the first quarter of the 2020/21 financial year on the top level Service Delivery and Budget Implementation Plan **be noted**.

RESPONSIBLE OFFICIAL :

R LOUW

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

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**

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

**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

Acting Chairperson :

Cllr A Komani

Committee Members :

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

PORTEFEULJEKOMITEE :

BESKERMINGSDIENSTE

Waarnemende Voorsitter :

Rdl A Komani

Komiteelede :

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

1.
**OVERSTRAND FESTIVE SEASON PLAN FOR FIRE & RESCUE, DISASTER
MANAGEMENT AND SECURITY SERVICES**

2/1

NJ Michaels

Director: Protection Services

05 October 2020

(028) 313 8054

EXECUTIVE SUMMARY

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

RESOLVED:

that the Overstrand Fire & Rescue, Disaster Management and Security Services Festive Season Plan 2020/2021 **be noted**.

RESPONSIBLE OFFICIAL :

**N. MICHAELS
L. SMITH**

TARGET DATE FOR IMPLEMENTATION :

1 NOVEMBER 2020

2.
**OVERSTRAND FIRE SEASON PLAN FOR FIRE & RESCUE, DISASTER
MANAGEMENT AND SECURITY SERVICES**

17/8/B

NJ Michaels

Director: Protection Services

05 October 2020

(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 & Rescue, Disaster Management and Security Services department. The Fire Season annually commences on 1 November 2020 and runs until 31 May 2021.

RESOLVED:

that the Overstrand Fire & Rescue, Disaster Management and Security Services Festive Season Plan 2020/2021 **be noted**.

RESPONSIBLE OFFICIAL :

**NJ MICHAELS
L SMITH**

TARGET DATE FOR IMPLEMENTATION :

1 NOVEMBER 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.

WARD COMMITTEES SYSTEM: PERFORMANCE REPORT: 2019/2020

3/R

R Williams Director : Community Services**18 September 2020****(028) 313 8029**

EXECUTIVE SUMMARY

To provide Council with the 2019/2020 performance report in respect of the Ward Committees System in the Overstrand Municipality.

RESOLVED:

that the report on performance with regard to the Ward Committees System in the Overstrand Municipality for the period July 2019 until June 2020 **be noted**.

RESPONSIBLE OFFICIALS:**R WILLIAMS
F MYBURGH
D LAKEY
A WYNGAARD
B PLAATJIES****TARGET DATE FOR IMPLEMENTATION: ON-GOING**

2.

BENEFICIARIES: UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME (UISP): 83 ERVEN: MANDELA SQUARE, ZWELIHLE

17/5/4/1

FW Frans

Manager : Housing Administration

6 October 2020

(028) 313 8144

EXECUTIVE SUMMARY

This report is to inform and obtain approval from the Executive Mayor with regard to potential beneficiaries of the UISP project in Mandela Square, Zwelihle.

RESOLVED:

1. that potential beneficiaries for the UISP: 83 serviced sites, Mandela Square be selected from residents of the TRA, Housing Admin site, who comply with the criteria applicable to UISP and also do not qualify for housing in terms of the IRDP housing subsidy scheme, **be approved**,
2. that the list of 164 potential beneficiaries for the UISP: 83 serviced sites Mandela Square, consisting of former residents of Mandela Square and McIntyre Hostel, currently residing in the Temporary Relocation Area (TRA) **be noted**,
3. that the list of 50 potential beneficiaries consisting of former residents of Tambo Square, currently residing in the Temporary Relocation Area (TRA) **be approved** as possible replacements in the event of a shortfall of potential beneficiaries in recommended number 2 above;
4. that the conclusion of rental agreements with beneficiaries of the UISP: 83 serviced sites, Mandela Square; **be approved**; and
5. that assistance to beneficiaries in the form of building material by way of an emergency housing kit to a maximum value of R4200 (including VAT) per unit, **be approved**.

RESPONSIBLE OFFICIAL :**FW FRANS****TARGET DATE FOR IMPLEMENTATION :****01 NOVEMBER 2020**

**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: AUGUST 2020 -
SEPTEMBER 2020**

15/3/11

R Kuchar

Senior Manager : Town & Spatial Planning

25 September 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 August 2020 – 25 September 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 August 2020 – 25 September 2020:

- | | | |
|-----|--|-------------------|
| 1. | Erf 2001, 41 & 42 Tenth Street, Voëklip, Hermanus | 1 September 2020 |
| 2. | Erf 10564, 183 Ninth Street, Voëklip, Hermanus | 1 September 2020 |
| 3. | Portion 2 of Farm 725, Division Caledon | 7 September 2020 |
| 4. | Erf 5354, 212 Tenth Street, Voëklip, Hermanus | 7 September 2020 |
| 5. | Erven 2870 and 2871, Portion of Erf 2834, Sandbaai Commonage | 15 September 2020 |
| 6. | Erf 1556, 78 Louis Richardt Street, Sandbaai | 15 September 2020 |
| 7. | Erven 416 and 1700, 10 du Toit Street and 20 Longmarket Street, Stanford | 22 September 2020 |
| 8. | Erf 1832, 36 Fifth Street, Voëklip, Hermanus | 22 September 2020 |
| 9. | Erf 12191, 297 Eighth Street, Voëklip, Hermanus | 22 September 2020 |
| 10. | Erven 4072 and 6038, 319 & 317 Tenth Street, Voëklip, Hermanus | 22 September 2020 |

that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA for August 2020:

- | | | |
|----|--|----------------|
| 1. | Erf 6804, Violtjie Lane, Mount Pleasant, Hermanus | 27 August 2020 |
| 2. | Remainder of Remainder Erf 6883, 21 Fir Close, Eastcliff, Hermanus | 27 August 2020 |
| 3. | Erf 12257, 4 Sea Road, Eastcliff, Hermanus | 27 August 2020 |

RESPONSIBLE OFFICIAL :

R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2020

2.

A PORTION OF REMAINDER FARM NO 581 (ROAD RESERVE) ONRUSTRIVIER ADJACENT TO ERF 2877 ONRUSTRIVIER (SITUATED AT 8 BEACH ROAD, ONRUSTRIVIER): LEASE OF MUNICIPAL PROPERTY TO KARMIEKEM (PTY) LTD

7/2/3/1

A Le Roux

Manager : Property Administration

10 September 2020

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Karmiekem (Pty) Ltd, (hereinafter referred to as "the Applicant") for a period of 9 (NINE) years and 11 (ELEVEN) months in respect of municipal property, being a portion of Remainder Farm no 581 (Road Reserve) Onrustrivier adjacent to Erf 2877 Onrustrivier, ($\pm 24\text{m}^2$ in extent) (hereinafter referred to as "the Property"), situated at 8 Beach Road, Onrustrivier, for the purpose of a boundary wall on the Property.

RESOLVED:

1. that the further lease of municipal property, being a portion of Remainder Farm no 581 Onrustrivier adjacent to Erf 2877 Onrustrivier ($\pm 24\text{m}^2$ in extent) situated at 8 Beach Road, Onrustrivier, to Karmiekem (Pty) Ltd for the purpose of a boundary wall on leased land at the rental amount of R4.16 (FOUR RAND AND SIXTEEN CENTS) (per square metre) per month (VAT excluded) for the 2019/2020 financial year and R4.34 (FOUR RAND AND THIRTY FOUR CENTS) (per square metre) per month for the 2020/2021 financial year for a period of 9 (NINE) years and 11 (ELEVEN) months from 1 April 2020 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the percentage equal to the prevailing consumer price index (all items) in terms of the Municipality's Administration of Immovable Property Policy, as amended from time to time, the next escalation to be on 1 July 2021.

RESPONSIBLE OFFICIAL:

N LIEBENBERG

TARGET DATE FOR IMPLEMENTATION:

18 NOVEMBER 2020

TARGET DATE TO INFORM APPLICANT:

9 NOVEMBER 2020

TARGET DATE TO INFORM OBJECTOR:

N/A

3.

A PORTION OF THE REMAINDER OF FARM NO 581 (ROAD RESERVE) ONRUSTRIVIER ADJACENT TO ERF 2874 ONRUSTRIVIER (SITUATED AT 13 ERICA STREET, ONRUSTRIVIER): LEASE OF MUNICIPAL PROPERTY TO THE EXECUTOR OF ESTATE LATE MR GMS TURNER OR SUCESSORS IN TITLE (HEIRS)

7/2/3/1

A Le Roux

Manager : Property Administration

9 September 2020

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain approval to enter into a lease agreement with the executor of estate late Mr GMS Turner or successors in title (heirs) for a period of 9 (NINE) years and 11 (ELEVEN) months in respect of municipal property, being a portion of Remainder Farm no 581 (Road Reserve) Onrustrivier adjacent to Erf 2874 Onrustrivier, ($\pm 42.5\text{m}^2$ in extent) (hereinafter referred to as "the Property"), situated at 13 Erica Street, Onrustrivier, for the purpose of a wooden fence.

RESOLVED:

1. that the lease of municipal property, being a portion of Remainder Farm no 581 Onrustrivier adjacent to Erf 2874 Onrustrivier ($\pm 42.5\text{m}^2$ in extent) situated at 13 Erica Street, Onrustrivier, to the executor of Estate late Mr GMS Turner and/or successors in title (heirs) for the purpose of a wooden fence at the rental amount of R4.34 (FOUR RAND AND THIRTY FOUR CENTS) (per square metre) per month (VAT excluded), for a period of 9 (NINE) years and 11 (ELEVEN) months from 1 July 2020 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**;
2. that once the estate of late Mr GMS Turner is finalized, the lease agreement will be ceded to the successors in title (heirs); and
3. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the percentage equal to the prevailing consumer price index (all items) in terms of the Municipality's Administration of Immovable Property Policy, as amended from time to time, the next escalation to be on 1 July 2021.

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

4.

A PORTION OF REMAINDER ERF 1253 HERMANUS (SITUATED IN DE VILLIERS STREET, HERMANUS): RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO SCOUTS SOUTH AFRICA – WESTERN CAPE

7/2/3/1

A Le Roux

Manager : Property Administration

11 September 2020

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Scouts South Africa – Western Cape (hereinafter referred to as the “Applicant”) for a period of 9 (NINE) years and 11 (ELEVEN) months in respect of municipal property, being a portion of Remainder Erf 1253 Hermanus ($\pm 3,100\text{m}^2$ in extent) situated in De Villiers Street, Hermanus, for the purpose of managing the Scouts Hall for scouts activities and programmes.

RESOLVED:

1. that the further lease of municipal property, being a portion of Remainder Erf 1253 Hermanus, ($\pm 3,100\text{m}^2$ in extent), to Scouts South Africa – Western Cape for the purpose of managing the Scout Hall for scouts activities and programmes 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 18 September 2020 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the tariffs stipulated in the Annual Budget as approved by Council, the next escalation to be on 1 July 2021.

RESPONSIBLE OFFICIAL:**N LIEBENBERG****TARGET DATE FOR IMPLEMENTATION:****11 OCTOBER 2020****TARGET DATE TO INFORM APPLICANT:****7 OCTOBER 2020****TARGET DATE TO INFORM OBJECTOR:****N/A**

5.

A PORTION OF REMAINDER ERF 4833 HERMANUS (NEAR SEVENTEENTH AVENUE, SITUATED IN VOËLKLIP): RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO VODACOM (PTY) LTD

7/2/3/1

A Le Roux

Manager: Property Administration

9 September 2020

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Vodacom (Pty) Ltd, hereinafter referred to as "Vodacom", for a period of 9 (NINE) years and 11 (ELEVEN) months in respect of a portion of Remainder Erf 4833 Hermanus (situated near Seventeenth Avenue, situated in Voëlklip) ($\pm 80\text{m}^2$ in extent), for the purpose of a telecommunication base station and related purposes.

RESOLVED:

1. that the lease of municipal property, being a portion of Remainder Erf 4833 Hermanus ($\pm 80\text{m}^2$ in extent), to Vodacom (Pty) Ltd, for the purpose of a telecommunication base station and related purposes at the rental amount of R5,704.00 (FIVE THOUSAND SEVEN HUNDRED AND FOUR RAND) (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**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the tariffs stipulated in the Annual Budget as approved by Council, the next escalation to be on 1 July 2021.

RESPONSIBLE OFFICIAL:**W MURTZ****TARGET DATE FOR IMPLEMENTATION:****30 NOVEMBER 2020****TARGET DATE TO INFORM APPLICANT:****13 NOVEMBER 2020****TARGET DATE TO INFORM OBJECTOR:****N/A**

**6.
IN PRINCIPLE APPROVAL FOR THE ALIENATION OF ERF 6924 KLEINMOND
(SITUATED AT 26 NERINA STREET, EXTENSION 6) BY MEANS OF A
COMPETITIVE PROCESS**

7/2/3/2

A Le Roux

Manager: Property Administration

8 September 2020

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain in principle approval for the alienation of Erf 6924 Kleinmond (284m² in extent) situated at 26 Nerina Street, Kleinmond for residential purposes by means of a competitive process.

RECOMMENDATION TO THE COUNCIL:

1. that the alienation of Erf 6924 Kleinmond (284m² in extent), for residential purposes by means of a competitive process, **be approved in principle**;
2. that all costs pertaining to the transaction, e.g. the transfer costs, water-, sewer- and electricity connections, the section 14 advertisement, but excluding the valuation costs and application fee, be paid by the successful bidder/purchaser;
3. that a condition be included in the title deed of the property that it may only be used for residential purposes; and
4. 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:

W MURTZ

TARGET DATE FOR IMPLEMENTATION:

30 NOVEMBER 2020

TARGET DATE TO INFORM APPLICANT:

N/A

TARGET DATE TO INFORM OBJECTOR:

N/A

7.

TRANSFER OF UNREGISTERED ERF 1929 (A PORTION OF ERF 599) PEARLY BEACH, SITUATED IN BROADWAY STREET, AS WELL AS A PORTION OF THE REMAINDER ERF 599 PEARLY BEACH, SITUATED IN OR BEHIND BROADWAY STREET, TO DE PYP TRUST

7/2/3/2

A Le Roux

Manager: Property Administration

9 September 2020

(028) 316 - 3724

EXECUTIVE SUMMARY

To obtain final approval for the transfer of unregistered Erf 1929 (a portion of Erf 599) Pearly Beach (413m² in extent), adjacent to Erf 1930 Pearly Beach situated in Broadway Street, Pearly Beach, to the owner of Erf 1930 Pearly Beach, being De Pyp Trust.

Further, to obtain final approval for the transfer of a portion of Remainder Erf 599 Pearly Beach (±300m² in extent), adjacent to Erven 1930 and 604 Pearly Beach situated behind Broadway Street, Pearly Beach, to the owner of Erven 1930 and 604 Pearly Beach, being De Pyp Trust (hereinafter referred to as the "Applicant").

RECOMMENDATION TO THE COUNCIL:

1. that the transfer of unregistered Erf 1929 (a portion of Erf 599) Pearly Beach, adjacent to Erf 1930 Pearly Beach, (413m² in extent) to the owner of the adjoining property, De Pyp Trust, at a market related value of R49,560.00 (FORTY NINE THOUSAND FIVE HUNDRED AND SIXTY RAND) (VAT excluded), **be approved;**
2. that the transfer of a portion of Remainder Erf 599 Pearly Beach, adjacent to Erf 1930, (±300m² in extent) to the owner of the adjoining property, De Pyp Trust, at a market related value of R120.00/m² (ONE HUNDRED AND TWENTY RAND) PER SQUARE METRE (VAT excluded) **be approved;**
3. that it be confirmed, as per condition of the in principle approval dated 26 February 2020, that no construction except a boundary fence or wall be allowed on the properties to be alienated and this condition must be registered against the title deed of the consolidated property;
4. that it be confirmed, as per condition of the in principle approval dated 26 February 2020, that Council take cognisance of the fact that the direct alienation is only possible as unregistered Erf 1929 (a portion of Erf 599) Pearly Beach and the subject portion of Remainder Erf 599 Pearly Beach can be classified as non-viable property;

5. that it be confirmed, as per condition of the in principle approval dated 26 February 2020, that it be noted that a condition for alienation will be that the subject properties to be alienated, must be consolidated with the adjoining property of De Pyp Trust, being Erf 1930 Pearly Beach;
6. that it be confirmed, as per condition of the in principle approval dated 26 February 2020, that the transfer of the properties, be subject to the suspensive condition that the Applicant, at own cost, obtain the necessary Town Planning approvals;
7. that it be confirmed, as per condition of the in principle approval dated 26 February 2020, that all costs pertaining to the transaction, e.g. application cost, valuation cost, road closure, subdivision, rezoning and consolidation, transfer and related costs, advertisement, etc., be paid by the Applicant;
8. that it is confirmed that Council has taken cognisance of the fact that the municipal properties herewith envisaged to be alienated are 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); and
9. that it be confirmed, as per condition of the in principle approval dated 26 February 2020, that a water pipeline servitude be registered over unregistered Erf 1929 Pearly Beach in favour of the Overstrand Municipality at the cost of the Applicant with the specific conditions that:
 - (a) the applicant provides access at all times to the Overstrand Municipality for the purpose of inspecting, maintaining, repairing or removing, if necessary at a later stage, of water line or equipment; and
 - (b) no structures, trees or plants may be erected within 1,5m (one and a half metre) on each side of the water pipeline.

RESPONSIBLE OFFICIAL :**W MURTZ****TARGET DATE FOR IMPLEMENTATION :****30 NOVEMBER 2020****TARGET DATE TO INFORM APPLICANT :****13 NOVEMBER 2020****TARGET DATE TO INFORM OBJECTOR :****N/A**

**8.
APPOINTMENT OF MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL**

15/3/3/1

R Kuchar

Senior Manager : Town & Spatial Planning

7 October 2020

(028) 313 8087

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the appointment of the members of the Overstrand Municipal Planning Tribunal (MPT).

Council at its meeting held on 28 October 2015 resolved to appoint members of the MPT for a period of five years from date of commencement of the legislation.

The date of commencement was gazetted as 1 February 2016. The current appointment of the MPT members' five year period will thus lapse on 31 January 2021.

This item serves to submit to Council to consider the appointment of the current members of the MPT for a new five year term as allowed for in terms of the Spatial Planning and Land Use Management Act (SPLUMA) and for the inclusion of an additional, external, publically nominated member in the MPT

RECOMMENDATION TO THE COUNCIL:

1. that the municipal officials that will serve on the Municipal Planning Tribunal are the Director: Infrastructure and Planning (Mr S Müller), Director: Economic Development & Tourism (Mr S Madikane), Deputy Director : Engineering Services (Mr H Blignaut) and Senior Manager : Strategic Services (Ms R Louw);
2. that Ms H Janser from the Provincial Department of Environmental Affairs and Development Planning be appointed as the external member to the Municipal Planning Tribunal and Ms Dalene Carstens as secondi (as per Annexure C to the item);
3. that the members of the MPT mentioned in 1 and 2 above be appointed for a five-year period starting from 8 February 2021;
4. that the legally prescribed process be followed to include an additional, external, publicly nominated member of the MPT; and
5. that the Ms H Janser from the Provincial Department of Environmental Affairs be appointed as Chairperson of the MPT and the Director: Infrastructure & Planning (Mr S Müller) as Deputy Chairperson of the MPT.

RESPONSIBLE OFFICIAL :

R KUCHAR

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2020

9.

PORTION OF REMAINDER ERF 243, ERVEN 6462, 6464, 6465, 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, 6974, 7701, A PORTION OF ERF 7684, ERF 11892, HERMANUS (MOUNT PLEASANT) : DEVIATION FROM THE OVERSTRAND MUNICIPALITY SPATIAL GROWTH MANAGEMENT STRATEGY : MESSRS NUPLAN AFRICA ON BEHALF OF OVERSTRAND MUNICIPALITY / THE ADAMA FOUNDATION TRUST

Infill Housing HMP & Ptn of Erf 243, HWC

R Kuchar Senior Manager : Town & Spatial Planning

14 October 2020

(028) 313-8900

EXECUTIVE SUMMARY

An application was received on 22 August 2019 from Messrs NuPlan on behalf of Overstrand Municipality and Adama Foundation Trust for a planning application to develop ten (ten) infill housing areas, nine (9) in Mount Pleasant and one (1) in Westdene, Hermanus.

The application also included application for deviation in terms of the provisions of Section 10 of the Overstrand Municipality By-Law on Land Use Planning, 2015 as well as the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the Growth Management Strategy, 2010 (GMS) in order to change the reservation of seven (7) of the infill housing sites in Mount Pleasant for status quo to now allowing residential densities of 30 units/ha.

RECOMMENDATION TO THE COUNCIL:

that the application for the deviation of the Overstrand Municipal Growth Management Strategy, 2010 in order to provide a residential density of more than 30 units/ha in lieu of the status quo allocation (for Areas 1 to 7 for the infill housing project), in terms of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 and in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved.**

RESPONSIBLE OFFICIAL :

H OLIVIER

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2020

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2020

TARGET DATE TO INFORM OBJECTOR :

N/A

The meeting adjourned at 12:24

DATE

D COETZEE – EXECUTIVE MAYOR