



**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 2021**

**VENUE / PLEK / INDAWO : AUDITORIUM**

**TIME / TYD / IXESHA : 14:00**

# OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

## MINUTES OF AN ORDINARY MEETING OF THE MAYORAL COMMITTEE HELD IN THE AUDITORIUM ON 28 OCTOBER 2021, AT 14:00

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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 N Michaels, Director : Protection Services  
Mr S Madikane, Director : Economic Development & Tourism  
Mr S Müller, Director : Infrastructure & Planning  
Mr D Lakey, Acting Director : Community Services  
Mr D van der Heever, Chief Audit Executive  
Mr F Myburgh, Senior Manager : Gansbaai Administration  
Ms R Louw, Senior Manager : Strategic Services  
Ms M Erasmus, Acting Manager : Property Administration  
Mr R Kuchar, Senior Manager : Town & Spatial Planning  
Ms H van Tonder, Manager : Council Support Services  
Mr B King, Senior Manager : Financial Services  
Ms E Hooneberg, Senior Manager : Revenue Services  
Ms N Zweni, Manager : Communication  
Mr L Smith, Chief : Fire & Rescue & Disaster Management  
Mr F Frans, Manager : Housing Administration  
Ms G Erasmus, Clerk : Auditorium  
Ms S Swart: Administrative Officer : Council Support Services

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**MINUTES/.....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING  
28 OCTOBER 2021

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F	✓
BOTHA, D	
BRICE, KD	✓
COETSEE, A	
COETZEE, DP	<i>David Coetzee</i>
COHEN, G	✓
DE CONING, CA	✓
GILLION, E	✓
KALOLO, SV	
KOMANI, AS	✓
KRIGE, F	
NQINATA, NNT	
MAY, C	
MHANA, M	
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 A Coetsee, afforded time for silent 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 Tuesday, 24 August 2021 at 10:00****RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Tuesday, 24 August 2021 at 10:00, be confirmed.**

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

None

5.  
REPORT OF THE JOINT AUDIT AND PERFORMANCE AUDIT COMMITTEE  
(JAPAC) TO THE OVERSTRAND MUNICIPAL COUNCIL

3/2/3/12

DC Van Der Heever

Chief Audit Executive

14 October 2021

(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 :**

**28 OCTOBER 2021**

**6.  
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, AUGUST 2021**

**8/2/2**

**C Le Roux**

**Deputy Director: Finance & SCM**

**06 August 2021**

**(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 August 2021. 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 August 2021, **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 August 2021, **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 August 2021, **be noted**

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

7.  
**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 2021**

8/2/2

C Le Roux

Deputy Director: Finance & SCM

06 October 2021

(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 September 2021. 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 September 2021, **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 September 2021, **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 September 2021, **be noted**.

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

**8.**  
**SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT – 2021/2022:**  
**1<sup>st</sup> QUARTER: 1 JULY 2021 – 30 SEPTEMBER 2021**

**8/2/2**

**C Le Roux**  
**06 October 2021**

**Deputy Director: Finance & SCM**

**(028) 313 8107**

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**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 1<sup>st</sup> Quarter of 2021/2022 **be noted**.

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**



**9.  
QUARTERLY BANK ACCOUNT WITHDRAWALS IN TERMS OF SECTION 11(4) OF  
THE MFMA FOR THE QUARTER ENDED SEPTEMBER 2021**

**5/18/R**

**BA King**

**21 October 2021**

**Senior Manager: Financial Services**

**(028) 313 8154**

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**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 in respect of Bank Account Withdrawals in terms of Section 11(4) of the MFMA for the quarter ended September 2021, **be noted**.

**RESPONSIBLE OFFICIAL :**

**BA KING**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

10.

**BUDGET REPORT AND SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR THE QUARTER ENDED SEPTEMBER 2021**

5/1/1/23-2021/2022 &amp; 2/12/1/1

BA King

Senior Manager: Financial Services

21 October 2021

(028) 313 8154

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**EXECUTIVE SUMMARY**

Report prepared as part of the 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 and service delivery and budget implementation plan for the quarter ended September 2021, prepared as part of the reporting obligations arising from the Local Government: Municipal Finance Management Act, 2003 and additional information, **be noted**.

**RESPONSIBLE OFFICIALS :****BA KING  
RG LOUW****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

11.

**AMOUNTS DIRECTLY RELATED TO THE FLUCTUATION IN CONSUMPTION CHARGES EXEMPTED FROM INTEREST FOR A PERIOD**

**5/1/1/23 – 2021/2022**

**E Hooneberg**

**Senior Manager: Revenue Services**

**19 October 2021**

**(028) 313 8149**

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**EXECUTIVE SUMMARY**

The purpose of the report is to present council with a recommendation to raise no interest for a period of up to six (6) months on these amounts directly related to the fluctuation in consumption charges, caused by the delayed actual readings in August and September 2021.

**RECOMMENDATION TO THE COUNCIL:**

that no interest be raised for a period of up to six (6) months on municipal consumer accounts, on those amounts directly related to the fluctuation in consumption charges, caused by the delayed actual readings as reflected in the accounts for August and September 2021.

**RESPONSIBLE OFFICIAL :**

**E HOONEBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**28 OCTOBER 2021**

**PORTFOLIO COMMITTEE :**

**FINANCE**

**Chairperson :**

**Ald R de Coning**

**Committee Members :**

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

**PORTEFEULJEKOMITEE :**

**FINANSIES**

**Voorsitter :**

**Rdh 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

01 October 2021

(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 R503 088.14 as listed below, be written off as bad debt:

A	First time write off – Indigent Households	R	121 476.39
B	Indigent water leakages irrecoverable	R	350 367.47
C	Final accounts equal or less than R1 500.00	R	1 763.81
D	Other Write offs	R	<u>29 480.47</u>
	TOTAL	R	<u>503 088.14</u>

**RESPONSIBLE OFFICIAL :**

**EM HOONEBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**05 NOVEMBER 2021**

**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**

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

2/5/3

D Arrison

Director : Management Services

20 September 2021

(028) 313 8004

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**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 (as per Annexure A to the item) of powers and duties conferred on him, **be approved**.

**RESPONSIBLE OFFICIAL :**

**L BUCCHIANERI**

**H VAN TONDER**

**TARGET DATE FOR IMPLEMENTATION :**

**8 NOVEMBER 2021**

**PORTFOLIO COMMITTEE :**

**PROTECTION SERVICES**

**Chairperson :**

**Cllr F Africa**

**Committee Members :**

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

**PORTEFEULJEKOMITEE :**

**BESKERMINGSDIENSTE**

**Voorsitter :**

**Rdl F Africa**

**Komiteelede :**

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



**1.  
OVERSTRAND MUNICIPALITY ANNUAL DISASTER MANAGEMENT REPORT**

**2/B**

**NJ Michaels**

**Director: Protection Services**

**27 September 2021**

**(028) 313 8054**

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**EXECUTIVE SUMMARY**

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

**RESOLVED:**

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

**RESPONSIBLE OFFICIAL :**

**NJ MICHAELS  
L SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**1 NOVEMBER 2021**

**2.  
REVIEW OF THE OVERSTRAND MUNICIPALITY DISASTER MANAGEMENT  
PLAN**

**2/B**

**NJ Michaels**

**Director: Protection Services**

**27 September 2021**

**(028) 313 8054**

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**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.

**RECOMMENDATION TO THE COUNCIL:**

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

**RESPONSIBLE OFFICIAL :**

**NJ MICHAELS**

**L SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**1 NOVEMBER 2021**

**3.  
OVERSTRAND FESTIVE SEASON PLAN FOR FIRE & EMERGENCY SERVICES,  
DISASTER MANAGEMENT AND SECURITY SERVICES**

**2/1**

**NJ Michaels**

**Director: Protection Services**

**27 September 2021**

**(028) 313 8054**

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**EXECUTIVE SUMMARY**

The purpose of this report is for Council to take note of the Festive Season Plan for the 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 2021/2022 **be noted**.

**RESPONSIBLE OFFICIAL :**

**N. MICHAELS  
L. SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**1 NOVEMBER 2021**

4.  
**OVERSTRAND FIRE SEASON PLAN FOR FIRE & EMERGENCY SERVICES,  
DISASTER MANAGEMENT AND SECURITY SERVICES**

17/8/B

NJ Michaels

Director: Protection Services

27 September 2021

(028) 313 8054

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**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 :**

**1 NOVEMBER 2021**

**PORTFOLIO COMMITTEE :  
ECONOMIC DEVELOPMENT & TOURISM**

**Chairperson :**

**Ald K Brice**

**Committee Members :**

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

**PORTEFEULJEKOMITEE :  
EKONOMIESE ONTWIKKELING & TOERISME**

**Voorsitter :**

**Rdh K Brice**

**Komiteelede :**

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

1.  
**YOUTH DEVELOPMENT THROUGH LOCAL DEMOCRACY**

17/19/1

**S. Madikane** Director : Economic Development and Tourism

**02 September 2021**

**(028) 313 8066**

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**EXECUTIVE SUMMARY**

The purpose of the report is to provide Council with an update on the youth development project as envisaged by the municipality's participation in a capacity programme by ICLD, a Swedish based organisation. Participation in the programme is conditional that the municipality's officials participating in this programme must design and implement a project of their choice and ensure that the project is carried through as a legacy. The programme comes to an end in December 2021.

**RECOMMENDATION TO THE COUNCIL:**

that the report **be noted**.

**RESPONSIBLE OFFICIAL :**

**S MADIKANE  
G SMIT  
R LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**NOT APPLICABLE**

**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.

**BENEFICIARIES: INTEGRATED RESIDENTIAL DEVELOPMENT PROGRAMME (IRDP): SITE C1, SWARTDAM ROAD, ZWELIHLE**

17/5/4/1

FW Frans

Manager: Housing Administration

10 Augustus 2021

(028) 313 8144

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**EXECUTIVE SUMMARY**

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

**RESOLVED:**

that the progress report with regard to the beneficiary subsidy status in the Site C1, Swartdam Road, Zwelihle, **be noted**.

**RESPONSIBLE OFFICIAL :****FW FRANS****TARGET DATE FOR IMPLEMENTATION :****N/A**



2.

**TRANSFER: ERF 371, ZWELIHLE: MR NKOSIMBINI PHILIP SKISANA AND MRS NONKOSO PATRICIA SKISANA**

17/5/4/1

FW Frans

Manager: Housing Administration

10 Augustus 2021

**(028) 313 8144**

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**EXECUTIVE SUMMARY**

This report is to request Council to, in terms of its delegated authority, grant permission for the transfer of Erf 371, Zwelihle, to Mr Nkosimbini Philip Skisana and Mrs Nonkoso Patricia Skisana.

**RECOMMENDATION TO THE COUNCIL:**

1. that permission **be granted** to transfer erf 371, Zwelihle to Mr Nkosimbini Philip Skisana (ID Number 521221 5703 089) and Mrs Nonkoso Patricia Skisana (ID Number 670312 1013 083);
2. that Mr Nkosimbini Philip Skisana and Mrs Nonkoso Patricia Skisana be responsible for the payment of the sales price of R10,00; and
3. that the aforementioned approval furthermore be subject to Mr Nkosimbini Philip Skisana and Mrs Nonkoso Patricia Skisana accepting responsibility for the outstanding municipal services account in respect of erf 371 Zwelihle.

**RESPONSIBLE OFFICIAL :****FW FRANS****TARGET DATE FOR IMPLEMENTATION :****01 NOVEMBER 2021**

3.

**WARD COMMITTEES SYSTEM: PERFORMANCE REPORT: 2020/2021**

3/R

R Williams

Director: Community Services

30 September 2021

(028) 313 8029

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**EXECUTIVE SUMMARY**

To provide Council with the 2020/2021 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 2020 until June 2021 **be noted**.

**RESPONSIBLE OFFICIALS:**

**R WILLIAMS  
F MYBURGH  
D LAKEY  
A WYNGAARD  
B PLAATJIES**

**TARGET DATE FOR IMPLEMENTATION:****ON-GOING**

**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: JULY 2021 – AUGUST  
2021**

**15/3/11**

**R Kuchar**

**23 August 2021**

**Senior Manager : Town & Spatial Planning**

**(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 22 July 2021 – 23 August 2021.

**RESOLVED:**

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 22 July 2021 – 23 August 2021:

- |     |                                                                |                |
|-----|----------------------------------------------------------------|----------------|
| 1.  | Erf 1234, 200 Main Road, Eastcliff, Hermanus                   | 30 July 2021   |
| 2.  | Remainder Erf 294, Stanford                                    | 30 July 2021   |
| 3.  | Erf 1058, 16 William Avenue, Pringle Bay                       | 30 July 2021   |
| 4.  | Erf 3241, 16 Marine Drive, Kleinmond                           | 30 July 2021   |
| 5.  | Erf 4528, corner Third Street and First Avenue, Kleinmond      | 30 July 2021   |
| 6.  | Erf 848, 28 High Street, Northcliff, Hermanus                  | 30 July 2021   |
| 7.  | Erf 1269, 287 Main Road, Eastcliff, Hermanus                   | 19 August 2021 |
| 8.  | Erf 422, 3 Raaswater Street, DeKelders                         | 19 August 2021 |
| 9.  | Erf 212, Kleinbaai                                             | 19 August 2021 |
| 10. | Erf 1210, WoodlandsRoad, Hawston                               | 23 August 2021 |
| 11. | Erf 2969, 16 DisaStreet, Onrustrivier                          | 23 August 2021 |
| 12. | Erf 2179, 13 Frankolin Close, Vermont                          | 23 August 2021 |
| 13. | Erf 1111, 63 BlueCrane Street, Hemel-en-Aarde Estate, Hermanus | 23 August 2021 |
| 14. | Erf 5259, 21 Cambedo Avenue, Kleinmond                         | 23 August 2021 |

**RESPONSIBLE OFFICIAL :**

**R VAN ANTWERP**

**TARGET DATE FOR IMPLEMENTATION :**

**11 NOVEMBER 2021**

2.

**IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF THE REMAINDER ERF 1178 DE KELDERS (ROAD RESERVE), ADJACENT TO ERF 43 DE KELDERS SITUATED AT 1 DE VILLIERS STREET, DE KELDERS TO CFP JORDAAN**

7/2/3/2

R Marinus

Acting Manager: Property Administration

23 August 2021

(028) 316 - 5609

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**EXECUTIVE SUMMARY**

To obtain approval in principle for the direct alienation of a portion of the Remainder Erf 1178 De Kelders ( $\pm 165\text{m}^2$  in extent), adjacent to Erf 43 De Kelders, situated at 1 De Villiers Street, De Kelders, to the owner of Erf 43 De Kelders, being CFP Jordaan.

**RECOMMENDATION TO THE COUNCIL:**

1. that the direct alienation of a portion of Remainder Erf 1178 (adjacent to Erf 43) De Kelders situated in De Villiers Street,  $\pm 165\text{m}^2$  in extent, to the owner of the adjoining Erf 43 De Kelders, CFP Jordaan, at an amount of R240.00/m<sup>2</sup> (TWO HUNDRED AND FORTY RAND 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 Remainder Erf 1178 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 Remainder Erf 1178 De Kelders must be consolidated with the adjoining property of CFP Jordaan, being Erf 43 De Kelders;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on the portion of Remainder Erf 1178 De Kelders, which condition must be registered against the title deed of the consolidated property;
6. that the alienation of the portion of Remainder Erf 1178 De Kelders be subject to a suspensive condition that the Applicant obtains approval for the subdivision, rezoning, consolidation and any other related town planning applications;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, subdivision, rezoning, consolidation, transfer and related costs, advertisements, etc. be paid by the Applicant, CFP Jordaan; 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:**

**11 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT:**

**11 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

3.

**A PORTION OF PORTION 1 OF THE FARM NO. 562 SITUATED OUTSIDE KLEINMOND: DEVIATION FROM PARAGRAPH 18 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A DIRECT LEASE WITH NEON BLUE (PTY) LTD**

7/2/3/1

R Marinus

Acting Manager: Property Administration

12 August 2021

(028) 316 5609

### **EXECUTIVE SUMMARY**

To obtain approval from the Executive Mayor to enter into a long-term lease agreement with Neon Blue (Pty) Ltd, hereinafter referred to as “the Applicant”, in respect of a portion of portion 1 of Farm No. 562 situated outside Kleinmond (±13,5ha in extent), hereinafter referred to as “the Property”, for the purposes of developing, constructing and managing a renewable energy generation plant and related/associated activities; 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 direct lease agreement with the Applicant in respect the Property for the purposes of developing, constructing and managing a renewable energy generation plant and related/associated activities without following a competitive bidding process.

### **RESOLVED:**

that the item **be referred back**.

**RESPONSIBLE OFFICIAL :**

**M ERASMUS**

**TARGET DATE FOR IMPLEMENTATION :**

**26 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT :**

**26 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

4.  
**HERMANUS SPORT CLUB: FUNDING FOR FURTHER DEVELOPMENT:  
2021/2022 CAPITAL BUDGET**

17/7/1/2/2

R Kuchar

Senior Manager : Town & Spatial Planning

23 August 2021

(028) 313 - 8087

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**EXECUTIVE SUMMARY**

Council entered into a lease agreement with the Hermanus Sport Club (HSC) for the lease of a portion of erf 1253 Hermanus. One of the conditions is that the HSC develop and manage the property as a general sport and recreational facility.

The infrastructure provided by the HSC will become the asset of Council, although the HSC will be responsible for the maintenance and operation of the facility, for the duration of the lease.

An amount of R1,9 million has been provided on the 2021/2022 Budget for the further development of the Hermanus Sport Club on Remainder Erf 1253, Hermanus. A further amount of R100 000.00 has been made available from Ward 3 Committee towards the BMX Track and Skate Park.

This item serves to recommend to Council to make the funds available in terms of the Grant-in-Aid Policy to allow the Hermanus Sports Committee (HSC) to make drawdowns from the Capital Budget as they develop the sports facilities.

**RESOLVED:**

that the item **be referred back**.

**RESPONSIBLE OFFICIAL :**

**R KUCHAR**

**TARGET DATE FOR IMPLEMENTATION :**

**11 NOVEMBER 2021**



5.  
**TRANSFER OF A PORTION OF ERF 6804 HERMANUS (ROAD RESERVE)  
ADJACENT TO ERF 6515 HERMANUS SITUATED AT 72 KATJIEPIERING  
STREET, MOUNT PLEASANT, TO DJ & MG COERT**

7/2/3/2

R Marinus

Acting Manager: Property Administration

25 August 2021

(028) 316 - 5609

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**EXECUTIVE SUMMARY**

To obtain final approval for the transfer of a portion of Erf 6804 Hermanus adjacent to Erf 6515 Hermanus, situated at 72 Katjeepering Street, Mount Pleasant,  $\pm 180\text{m}^2$  in extent, to the owners of Erf 6515 Hermanus, being DJ & MG Coert.

**RECOMMENDATION TO THE COUNCIL:**

1. that the transfer of a portion of Erf 6804 Hermanus (adjacent to Erf 6515 Hermanus) situated at 72 Katjeepering Street, Mount Pleasant,  $\pm 180\text{m}^2$  in extent, to the owner of the adjoining Erf 6515 Hermanus, DJ & MG Coert, at an amount of R172.00/m<sup>2</sup> (ONE HUNDRED AND SEVENTY TWO RAND) (PER SQUARE METRE) (VAT excluded) for the purpose of gardening, parking and erection 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 portion of Erf 6804 Hermanus is classified as a non-viable property;
3. that it be noted that a condition for the transfer is that the said portion of Erf 6804 Hermanus must be consolidated with the adjoining property of DJ & MG Coert, being Erf 6515 Hermanus;
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 parking purposes and no structures, excluding a boundary fence or wall, may be erected thereon;
5. that the transfer of a portion of Erf 6804 Hermanus be subject to a suspensive condition that the applicant/purchaser obtains approval for the closure of the public road, subdivision, consolidation and rezoning and all related town planning approvals applicable;
6. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, subdivision and consolidation, closure of portion of public road, rezoning, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser; and

7. that it be noted that the municipal property envisaged to be transferred is not required for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

**RESPONSIBLE OFFICIAL:**

**W MURTZ**

**TARGET DATE FOR IMPLEMENTATION:**

**30 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT:**

**19 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

6.

**A PORTION OF ERF 1933 GANSBAAI (SITUATED IN MANDELA STREET, MASAKHANE): RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO GOOD HOPE EARLY CHILDHOOD DEVELOPMENT CENTRE**

7/2/3/1

R Marinus

Acting Manager: Property Administration

13 September 2021

(028) 316 5609

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**EXECUTIVE SUMMARY**

To obtain approval to enter into a further lease agreement with Good Hope Early Childhood Development Centre (hereinafter referred to as "Good Hope"), in respect of a portion of Erf 1933 Gansbaai situated in Mandela Street, Masakhane ( $\pm 5,320\text{m}^2$  in extent) (hereinafter referred to as "the Property"), for a period of 9 (NINE) years and 11 (ELEVEN) months for the purpose of managing an Early Childhood Development Centre and related purposes.

**RESOLVED:**

1. that the lease of municipal property, being a portion of Erf 1933 Gansbaai ( $\pm 5,320\text{m}^2$  in extent), to Good Hope Early Childhood Development Centre, for managing an Early Childhood Development Centre and related purposes at a rental amount of R160.87 (ONE HUNDRED AND SIXTY RAND AND EIGHTY SEVEN CENTS) (VAT excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months from 1 November 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 annually on 1 July in accordance with the tariffs stipulated in the Annual Budget as approved by Council; and
3. that the approval of 1 above be subject to the following conditions:
  - (a) that Good Hope Early Childhood Development Centre submits and gains approval of a Site Development Plan for the whole lease area;
  - (b) to the successful completion and approval of the necessary Town Planning processes; and
  - (c) that any additional community purposes be approved by the Municipality in writing before the commencement of such activities.

<b>RESPONSIBLE OFFICIAL :</b>	<b>R OCTOBER</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>30 NOVEMBER 2021</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>15 NOVEMBER 2021</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

7.

**A PORTION OF ERF 257 HERMANUS: RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO HERMANUS CHILD AND FAMILY SERVICES**

7/2/3/1

R Marinus

Acting Manager: Property Administration

10 September 2021

(028) 316 5609

**EXECUTIVE SUMMARY**

To obtain approval to enter into a further lease agreement with Hermanus Child and Family Services (hereinafter referred to as "Vrolike Vinkies"), in respect of a portion of Erf 257 Hermanus situated at 30 Heide Street, Mount Pleasant for a period of 9 (NINE) years and 11 (ELEVEN) months for purpose of managing the Vrolike Vinkies Early Childhood Development Centre.

**RESOLVED:**

1. that the lease of municipal property, being a portion of Erf 257 Hermanus ( $\pm 659.4\text{m}^2$  in extent), to Hermanus Child and Family Services, for managing the Vrolike Vinkies Early Childhood Development Centre at a rental amount of R160.87 (ONE HUNDRED AND SIXTY RAND AND EIGHTY SEVEN CENTS) (VAT excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months from 1 November 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 annually on 1 July in accordance with the tariffs stipulated in the Annual Budget as approved by Council.

**RESPONSIBLE OFFICIAL :****R OCTOBER****TARGET DATE FOR IMPLEMENTATION :****30 NOVEMBER 2021****TARGET DATE TO INFORM APPLICANT :****15 NOVEMBER 2021****TARGET DATE TO INFORM OBJECTOR :****N/A**

8.

**A PORTION OF ERF 1969 PEARLY BEACH (SITUATED AT 1 DASI STREET, PEARLY BEACH): RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO FLOWER VALLEY CONSERVATION TRUST**

7/2/3/1

R Marinus

Acting Manager: Property Administration

13 July 2021

(028) 316 - 5609

**EXECUTIVE SUMMARY**

To obtain approval to enter into a further lease agreement with Flower Valley Conservation Trust (hereinafter referred to as "FVCT") in respect of municipal property, being a portion of Erf 1969 Pearly Beach ( $\pm 385\text{m}^2$  in extent) situated at 1 Dasi Street, Pearly Beach (hereinafter referred to as "the Property"), for a period of 9 (NINE) years and 11 (ELEVEN) months for the management of the Dolfyntjies Early Childhood Development Centre and related purposes.

**RESOLVED:**

1. that the lease of municipal property, being a portion of Erf 1969 Pearly Beach ( $\pm 385\text{m}^2$  in extent), to the Flower Valley Conservation Trust, for operating the Dolfyntjies Early Childhood Development Centre at a rental amount 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 April 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 annually on 1 July in accordance with the tariffs stipulated in the Annual Budget as approved by Council.

**RESPONSIBLE OFFICIAL:****R OCTOBER****TARGET DATE FOR IMPLEMENTATION:****13 NOVEMBER 2021****TARGET DATE TO INFORM APPLICANT:****30 NOVEMBER 2021****TARGET DATE TO INFORM OBJECTOR:****N/A**

## 9.

**TRANSFER OF ERF 6848 KLEINMOND ADJACENT TO ERF 7308 KLEINMOND SITUATED AT 1 BERGROOS CRESCENT, EXTENSION 6, TO THE BREAD OF LIFE ASSEMBLY OF SOUTH AFRICA**

7/2/3/2

R Marinus

Acting Manager: Property Administration

25 August 2021

(028) 316 - 5609

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**EXECUTIVE SUMMARY**

To obtain final approval for the transfer of Erf 6848 Kleinmond, adjacent to Erf 7308 Kleinmond, situated at 1 Bergroos Crescent, Extension 6, 162m<sup>2</sup> in extent, to the owner of Erf 7308 Kleinmond, being The Bread of Life Assembly of South Africa.

**RECOMMENDATION TO THE COUNCIL:**

1. that the transfer of Erf 6848 Kleinmond (adjacent to Erf 7308 Kleinmond) situated at 1 Bergroos Crescent, Extension 6, 162m<sup>2</sup> in extent, to the owner of the adjoining Erf 7308 Kleinmond, The Bread of Life Assembly of South Africa, at an amount of R41,000.00 (FORTY ONE THOUSAND RAND) (VAT excluded) for church and related purposes be **approved**;
2. that Council take cognisance of the fact that the direct alienation and subsequent transfer is only approved as Erf 6848 Kleinmond is classified as a non-viable property;
3. that it be noted that a condition for the transfer will be that Erf 6848 Kleinmond must be consolidated with the adjoining property of The Bread of Life Assembly of South Africa, being Erf 7308 Kleinmond;
4. that the transfer of Erf 6848 Kleinmond is subject to a suspensive condition that the applicant/purchaser obtains approval for the rezoning and consolidation and all related town planning approvals applicable;
5. that all the costs pertaining to the transaction, e.g. application cost, valuation rezoning, consolidation, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser, The Bread of Life Assembly of South Africa; 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 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:**

**30 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT:**

**19 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**



10.

**APPLICATION TO PURCHASE: A PORTION OF REMAINDER ERF 1253 HERMANUS, ADJACENT TO ERF 1300 HERMANUS (262 MAIN ROAD, EASTCLIFF) (COMMONAGE) – DM & L KIRSCH**

**7/2/3/2**

**R Marinus**

**Acting Manager: Property Administration**

**8 September 2021**

**(028) 316 - 5609**

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### **EXECUTIVE SUMMARY**

To consider the application received from DM & L Kirsch (the owners of Erf 1300 Hermanus) to purchase municipal property, being a portion of Remainder Erf 1253 Hermanus ( $\pm 114\text{m}^2$  in extent) adjacent to Erf 1300 Hermanus, situated at 262 Main Road, Hermanus in Eastcliff.

### **RESOLVED:**

that the item **be referred back**.

**RESPONSIBLE OFFICIAL:**

**W MURTZ**

**TARGET DATE FOR IMPLEMENTATION:**

**30 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT:**

**19 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

11.

**TRANSFER OF A PORTION OF ERF 2423 BETTY'S BAY ADJACENT TO ERF 2674 BETTY'S BAY SITUATED AT 199 PORTER DRIVE, BETTY'S BAY, TO AFRICA PRO CURE CC**

7/2/3/2

R Marinus

Acting Manager: Property Administration

25 August 2021

(028) 316 - 5609

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**EXECUTIVE SUMMARY**

To obtain final approval for the transfer of a portion of Erf 2423 Betty's Bay adjacent to Erf 2674 Betty's Bay situated at 199 Porter Drive, Betty's Bay,  $\pm 60\text{m}^2$  in extent, to the owner of Erf 2674 Betty's Bay, being Africa Pro Cure CC.

**RECOMMENDATION TO THE COUNCIL:**

1. that the transfer of a portion of Erf 2423 Betty's Bay (adjacent to Erf 2674 Betty's Bay) situated at 199 Porter Drive, Betty's Bay,  $\pm 60\text{m}^2$  in extent, to the owner of the adjoining Erf 2674 Betty's Bay, Africa Pro Cure CC, at an amount of R150.00/m<sup>2</sup> (ONE HUNDRED AND FIFTY RAND PER SQUARE METRE) (VAT excluded) for parking purposes be **approved**;
2. that Council take cognisance of the fact that the direct alienation and subsequent transfer is only approved as the subject portion of Erf 2423 Betty's Bay is classified as a non-viable property;
3. that it be noted that a condition for the transfer will be that the said portion of Erf 2423 Betty's Bay must be consolidated with the adjoining property of Africa Pro Cure CC, being Erf 2674 Betty's Bay;
4. that a condition be registered against the title deed of the to be consolidated property that no structures, excluding a boundary fence or wall, may be erected thereon;
5. that the transfer of a portion of Erf 2423 Betty's Bay be subject to a suspensive condition that the applicant/purchaser obtains approval for the closure of the portion of public road, subdivision, consolidation and rezoning and all related town planning approvals applicable;
6. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, closure of portion of public road, subdivision, consolidation, rezoning, transfer and related costs, advertisements, etc. be paid by the applicant/purchaser, Africa Pro Cure CC; and

7. that it be noted that the municipal property envisaged to be transferred is not required for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

**RESPONSIBLE OFFICIAL:**

**W MURTZ**

**TARGET DATE FOR IMPLEMENTATION:**

**30 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT:**

**19 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

12.

**PORTION 5 OF THE FARM NO. 585 SITUATED IN THE HEMEL AND AARDE VALLEY HERMANUS: DEVIATION FROM PARAGRAPH 18 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A DIRECT LEASE WITH OVERSTRAND SKILLS TRAINING NETWORK NPC**

7/2/3/1

R Marinus

Acting Manager: Property Administration

12 August 2021

(028) 316 5609

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**EXECUTIVE SUMMARY**

To obtain approval from the Executive Mayor to enter into a long-term lease agreement with Overstrand Skills Training Network NPC (Section 21 company), hereinafter referred to as “the Applicant”, in respect of portion 5 of Farm No. 585 situated in the Hemel and Aarde Valley Hermanus (698,047m<sup>2</sup> in extent), hereinafter referred to as “the Property”, for the purposes of an adventure eco lodge and/or others to be developed on the Property (more detail below in the report); 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 direct lease agreement with the Applicant in respect the Property for the purposes of an adventure eco lodge and/or others to be developed on the Property (more detail below in the report) without following a competitive bidding process.

**RESOLVED:**

1. that the long-term lease of municipal property, being portion 5 of Farm No. 585 situated in the Hemel and Aarde Valley Hermanus (698,047m<sup>2</sup> in extent), to Overstrand Skills Training Network NPC for the purposes of an adventure eco lodge and others to be developed on the property for a period of 9 (NINE) years and 11 (ELEVEN) months at R154.89 (ONE HUNDRED AND FIFTY-FOUR RAND AND EIGHTY-NINE CENTS) (VAT excluded) per month from 1 December 2020, **be approved**;
2. that the abovementioned approval be subject to Council approving a deviation from paragraph 18 of the Administration of Immovable Property Policy of 2015;
3. that the rental amount mentioned in 1 above escalate annually on 1 July in accordance with the tariffs stipulated in the Annual Budget as approved by Council; and
4. that Overstrand Skills Training Network NPC be responsible for all cost involved in the lease agreement and any further applications and processes.

**RECOMMENDATION TO THE COUNCIL:**

that the deviation from paragraph 18 of the Administration of Immovable Property Policy in order to enter into a lease agreement with Overstrand Skills Training Network NPC without following a competitive bidding process, **be approved.**

**RESPONSIBLE OFFICIAL :****M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****31 NOVEMBER 2021****TARGET DATE TO INFORM APPLICANT :****31 NOVEMBER 2021****TARGET DATE TO INFORM OBJECTOR :****N/A**

13.

**PORTIONS OF ERVEN 294, 227 AND 429 STANFORD (SITUATED NEXT TO THE R43 MAIN ROAD, STANFORD): RENEWAL OF LEASE OF MUNICIPAL PROPERTIES TO MALCOLM STUART ALEXANDER BURY FOR THE PURPOSE OF THE GRAZING OF SHEEP**

7/2/3/1

R Marinus

Acting Manager: Property Administration

30 August 2021

(028) 316 - 5609

### **EXECUTIVE SUMMARY**

To obtain approval to enter into a further lease agreement with Malcolm Stuart Alexander Bury (hereinafter referred to as the "Applicant") for a period of 9 (NINE) years and 11 (ELEVEN) months in respect of municipal property, being portions of Erven 294, 227 and 429 Stanford (jointly ±1,8094ha in extent) situated next to the R43 Main Road, Stanford (hereinafter referred to as the "Property"), for the purpose of the grazing of sheep.

### **RESOLVED:**

1. that the renewal of the lease of municipal properties, being portions of Erven 294, 227 and 429 Stanford, (jointly ±1,8094ha in extent), to Malcolm Stuart Alexander Bury, for the purpose of the grazing of sheep for a further period of 9 (NINE) years and 11 (ELEVEN) months as from 1 November 2021 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved;**
2. that the rental be determined at R425.58 (FOUR HUNDRED AND TWENTY-FIVE RAND AND FIFTY EIGHT CENTS) (VAT excluded) per month for the 2021/2022 financial year; and
3. that the rental amount mentioned in 2 above escalate every year on the 1st of July in accordance with the Consumer Price Index as published by Stats SA, the next escalation to be on 1 July 2022.

**RESPONSIBLE OFFICIAL:**

**W MURTZ**

**TARGET DATE FOR IMPLEMENTATION:**

**30 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT:**

**19 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

14.

**IN PRINCIPLE APPROVAL FOR THE ALIENATION OF UNREGISTERED ERF 12308 (A PORTION OF ERF 384) HERMANUS SITUATED ON THE CORNER OF CHURCH STREET AND ALBERTYN STREET, HERMANUS, BY MEANS OF A COMPETITIVE PROCESS**

7/2/3/2

R Marinus

Acting Manager: Property Administration

19 September 2021

(028) 316-5609

**EXECUTIVE SUMMARY**

To obtain in principle approval for the alienation of unregistered Erf 12308 Hermanus (a portion of Erf 384 Hermanus), ±7,342 Square Meters in extent, for the purpose of medical facilities and related community facilities by means of a competitive process.

**RECOMMENDATION TO THE COUNCIL:**

1. that the alienation of unregistered Erf 12308 Hermanus (a portion of Erf 384 Hermanus), ±7,342 Square Meters in extent, for the purpose of medical facilities and related community facilities by means of a competitive process at no less than the fair market value, **be approved in principle**;
2. that all costs pertaining to the transaction, including, but not limited to, the transfer costs, water, sewer and electricity connections, the section 14 advertisement, services relocation costs and servitude registration costs, but excluding the valuation costs, where applicable, be paid by the successful bidder/purchaser;
3. that a condition be registered against the title deed of the Property that it may only be used and developed for medical facilities and related community facilities;
4. that the relevant conditions stipulated and imposed by the Manager: Engineering Services as well as those included in the Engineering Services Report be included in the deed of sale; and
5. that it is hereby confirmed by Council that the municipal property herewith envisaged to be alienated is not required for the provision of basic municipal services in terms of paragraph 5 of the Administration of Immovable Property Policy approved by Council on 25 November 2015 and Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003).

RESPONSIBLE OFFICIAL :

R MARINUS

TARGET DATE FOR IMPLEMENTATION :

IN PROCESS

TARGET DATE TO INFORM APPLICANT :

N/A

15.

**TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS CONSIDERED IN TERMS OF DELEGATED AUTHORITY: AUGUST 2021 – SEPTEMBER 2021**

15/3/11

R Kuchar

Senior Manager : Town &amp; Spatial Planning

27 September 2021

(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 24 August 2021 – 27 September 2021.

**RESOLVED:**

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 24 August 2021 – 27 September 2021:

- |     |                                                                                                 |                   |
|-----|-------------------------------------------------------------------------------------------------|-------------------|
| 1.  | Erf 6390, 12 Bob Laubser Street, Kleinmond                                                      | 1 September 2021  |
| 2.  | Erven 6848 and 7308, 1 Bergroos Crescent Extension 6 and 2 Galjoen Street, Overhills, Kleinmond | 1 September 2021  |
| 3.  | Erf 2149, 66 Seventh Street, Voëlklip, Hermanus                                                 | 6 September 2021  |
| 4.  | Erf 1183, 15 Bester Crescent, Van Dyksbaai                                                      | 6 September 2021  |
| 5.  | Erf 5281, 141 Ninth Street, Voëlklip, Hermanus                                                  | 9 September 2021  |
| 6.  | Portion 1 of the farm Grootbos No 698                                                           | 9 September 2021  |
| 7.  | Erf 332, cnr Arcadia & Esplanade Street, Pearly Beach                                           | 9 September 2021  |
| 8.  | Erf 135, 1 Albatros Road, Pringle Bay                                                           | 16 September 2021 |
| 9.  | Erf 713, 42 Barbara Road, Pringle Bay                                                           | 16 September 2021 |
| 10. | Erf 5122, 25 Middelrivier Avenue, Kleinmond                                                     | 16 September 2021 |
| 11. | Erf 62, 18 caledon Street, Stanford                                                             | 16 September 2021 |
| 12. | Erf 938, 22 Roeland Street, Franskraal                                                          | 23 September 2021 |
| 13. | Erven 1639 and 1640, 113 Clairvaux Crescent, Franskraal                                         | 27 September 2021 |

that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA that took place on 26 August 2021:

- |    |                                                                                                                                      |                |
|----|--------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1. | Erf 4336, 305 Third Street, Voëlklip, Hermanus                                                                                       | 26 August 2021 |
| 2. | Mount Pleasant IRDP Residential Housing Project (Area 8) on a portion of Remainder Erf 243, Hermanus at Heide Street, Mount Pleasant | 26 August 2021 |
| 3. | Erf 454, 21 Andries Pretorius Street, Sandbaai                                                                                       | 26 August 2021 |
| 4. | Erf 4164, Chanteclair Avenue, Onrustrivier                                                                                           | 26 August 2021 |



**RESPONSIBLE OFFICIAL :**

**R VAN ANTWERP**

**TARGET DATE FOR IMPLEMENTATION :**

**11 NOVEMBER 2021**

16.

**APPLICATION TO PURCHASE: A PORTION OF ERF 379 (A PORTION OF ERF 370) HERMANUS (DE GOEDE STREET, HERMANUS), ADJACENT TO ERF 6137 HERMANUS (18 WESTCLIFF ROAD, HERMANUS) – MG OTTO**

7/2/3/2

R Marinus

Acting Manager: Property Administration

14 September 2021

(028) 316 - 5609

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**EXECUTIVE SUMMARY**

To consider the application received from Ms M G Otto (the owner of Erf 6137 Hermanus) for the direct alienation of a portion of Erf 379 (a portion of Erf 370) Hermanus ( $\pm 294,5\text{m}^2$  in extent), a road reserve adjacent to Erf 6137 Hermanus, situated at 18 Westcliff Road, Hermanus.

**RECOMMENDATION TO THE COUNCIL:**

that the direct alienation of a portion of Erf 379 (a portion of Erf 370) Hermanus ( $\pm 294,5\text{m}^2$  in extent), adjacent to Erf 6137 Hermanus, to the owner of the adjoining Erf 6137 Hermanus, MG Otto, **not be approved** as the property must be reserved for current line of sight as well as future road widening.

**RESPONSIBLE OFFICIAL:****R OCTOBER****TARGET DATE FOR IMPLEMENTATION:****30 NOVEMBER 2021****TARGET DATE TO INFORM APPLICANT:****15 NOVEMBER 2021****TARGET DATE TO INFORM OBJECTOR:****N/A**

17.

**ERF 4413, BETTY'S BAY OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTION, REZONING AND SUBDIVISION: MESSRS WRAP PROJECT OFFICE ON BEHALF OF BS McLEOD**

4413 KBB

R Kuchar

Senior Manager : Town &amp; Spatial Planning

6 September 2021

(028) 3138900

**EXECUTIVE SUMMARY**

An application was received on 20 January 2020 from Messrs WRAP Project Office on behalf of BS Mcleod on Erf 4413, Betty's Bay for the following:

- Removal of Restrictive Title Deed Conditions in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions B.6, B.7.(a), B.7.(b), B.7.(d), B.8, B.8.(a), B.8.(b), B.8.(c), B.9 and B.10 as contained in Title Deed T5778/2020 to permit the proposed application.
- Rezoning in terms of Section 16(2)(a) of the By-Law to rezone the property from Business Zone 3: Local Business to Residential Zone 1: Single Residential.
- Subdivision in terms of Section 16(2)(d) of the By-Law to subdivide the property into 3 portions, namely Portion A ( $\pm 602\text{m}^2$ ), Portion B ( $\pm 793\text{m}^2$ ) and the Remainder ( $\pm 818\text{m}^2$ ).
- Deviation from Overstrand Municipal Growth Management Strategy, 2010 in terms of Section 10 to deviate from the density prescript of 5,1 dwelling units per hectare to permit the proposed maximum density of 27,1 dwellings units per hectare (additional dwelling units included).

**RECOMMENDATION TO THE COUNCIL:**

that the application to deviate from the Overstrand Growth Management Strategy, 2010 in order to allow the density of 27,1 du/ha for Erf 4413, **be approved.**

RESPONSIBLE OFFICIAL :

R KUCCHAR

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2021

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2021

TARGET DATE TO INFORM OBJECTOR :

N/A

18.

**A PORTION OF ERF 775 FISHERHAVEN: DEVIATION FROM PARAGRAPHS 18 AND 24 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO ENTER INTO A FURTHER LEASE AGREEMENT WITH LAKE MARINA YACHT AND BOAT CLUB**

7/2/3/1

R Marinus

Acting Manager: Property Administration

13 September 2021

(028) 316-5609

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### EXECUTIVE SUMMARY

To obtain approval from the Executive Mayor to enter into a further lease agreement with Lake Marina Yacht and Boat Club (hereinafter referred to as "LMYBC") in respect of a portion of Erf 775 Fisherhaven ( $\pm 7,420\text{m}^2$  in extent) (hereinafter referred to the "Property") situated in Riverside Drive for a period of 3 (THREE) years for the purpose of performing activities as a yacht club and operating 39 caravan sites for its members; and

To obtain approval from Council for the deviation from paragraphs 18 and 24 of the Administration of Immovable Property Policy of 2015 allowing the Municipality to enter into a further lease agreement with LMYBC in respect of a portion of Erf 775 Fisherhaven for the purpose of performing activities as a yacht club and operating 39 caravan sites for its members without following a competitive bidding process.

### RESOLVED:

1. that the renewal of the lease of a portion of Erf 775 Fisherhaven ( $\pm 14,200\text{m}^2$  in extent), to Lake Marina Yacht and Boat Club for a period of 3 (THREE) years from 1 July 2021 to 30 June 2024 for the purpose of performing activities as a yacht club and operating 39 caravan sites for members, at a rental amount of R35 702.97 (THIRTY FIVE THOUSAND SEVEN HUNDRED AND TWO RAND AND NINETY SEVEN CENTS) (VAT excluded) per annum, escalating at 10% each year of the lease period, **be approved**; and
2. that the abovementioned approval be subject to Council approving a deviation from paragraphs 18 and 24 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 the current lease agreement with Lake Marina Yacht and Boat Club for a further period of 3 (THREE) years without following a competitive process, **be approved**; and

2. that the deviation from paragraph 24 of the Administration of Immovable Property Policy in order to renew the current lease agreement with Lake Marina Yacht and Boat Club without having a new market related valuation being done, **be approved.**

**RESPONSIBLE OFFICIAL :**

**R MARINUS**

**TARGET DATE FOR IMPLEMENTATION :**

**30 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT :**

**15 NOVEMBER 2021**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

19.  
**OVERSTRAND MUNICIPALITY: INVESTIGATION INTO AVAILABLE AND DEVELOPABLE LAND IN KLEINMOND AND OVERHILLS UPGRADES**

15/3/R

R Kuchar

Senior Manager : Town & Spatial Planning

1 September 2021

(028) 313 - 8087

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**EXECUTIVE SUMMARY**

The purpose of this report is to submit the Overstrand Municipality: Land Investigation Report for Kleinmond and Overhills for approval by Council as a guiding document with regard to housing development in the area.

**RECOMMENDATION TO THE COUNCIL :**

that the investigation into available and developable land in Kleinmond and Overhills Upgrades **be approved** as a guiding document to the Overstrand Spatial Development Framework, 2020 and the Overstrand Housing Plan.

**RESPONSIBLE OFFICIAL :**

**R KUCHAR**

**TARGET DATE FOR IMPLEMENTATION :**

**11 NOVEMBER 2021**

**TARGET DATE TO INFORM APPLICANT :**

**N/A**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

20.

**A PORTION OF REMAINDER ERF 5464 KLEINMOND (SITUATED IN MAIN ROAD, KLEINMOND): RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO MEERENVLEI LEASE HOLDERS ASSOCIATION**

7/2/3/1

R Marinus

Acting Manager: Property Administration

13 September 2021

(028) 316 5609

**EXECUTIVE SUMMARY**

To obtain approval to enter into a further lease agreement with Meerenvlei Lease Holders Association (hereinafter referred to as "Meerenvlei"), in respect of municipal property, being a portion of Remainder Erf 5464 Kleinmond ( $\pm 7,450\text{m}^2$  in extent) (hereinafter referred to as the "Property") situated in Main Road for a period of 5 (FIVE) years for the purpose of the management, leasing, sub-letting, supervising and maintaining the Property.

**RESOLVED:**

1. that the lease of municipal property, being a portion of Remainder Erf 5464 Kleinmond ( $\pm 7,450\text{m}^2$  in extent), to Meerenvlei Lease Holders Association for the purpose of the management, leasing, sub-letting, supervising and maintaining the property at the rental amount of R1,075.65 (ONE THOUSAND AND SEVENTY FIVE RAND AND SIXTY FIVE CENTS) (VAT excluded) per month per unit, for a period of 5 (FIVE) years from 1 September 2021 in terms of the Administration of Immoveable 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 as stipulated in the Overstrand Municipality's Tariffs for the specific financial year, as approved by Council in the Annual Budget, the next escalation to be on 1 July 2022.

**RESPONSIBLE OFFICIAL :****R OCTOBER****TARGET DATE FOR IMPLEMENTATION :****30 NOVEMBER 2021****TARGET DATE TO INFORM APPLICANT :****15 NOVEMBER 2021**

**The meeting adjourned at 14:38**

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**DATE**


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**D COETZEE – EXECUTIVE MAYOR**