



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

**DATE / DATUM / UMHLA : 16 OCTOBER / OKTOBER /
OKTOBHA 2024**

**VENUE / PLEK / INDAWO : BANQUETING HALL,
CIVIC CENTRE,
HERMANUS**

TIME / TYD / IXESHA : 08:30

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

**MINUTES OF AN ORDINARY MEETING OF THE
MAYORAL COMMITTEE
HELD IN THE BANQUETING HALL
ON 16 OCTOBER 2024, AT 08:30**

PRESENT:

Councillors were present as per attached attendance register.

OFFICIALS PRESENT:




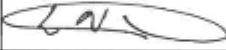

Dr D O'Neill, Municipal Manager
Mr D Louw, Acting CFO
Mr S Swartz, Director : Community Services
Ms D Arrison, Director : Corporate Services
Mr N Michaels, Director : Municipal Public Safety
Mr S Müller, Chief Engineer : Infrastructure Services
Ms R Louw, Divisional Manager : Strategic Support Services
Mr R Kuchar, Divisional Manager : Town & Regional Planning
Ms A Le Roux, Divisional Manager : Property Management
Ms H van Tonder, Manager : Administrative Support Services
Ms G Erasmus, Facilities Administrator
Ms S Swart, Senior Committee Officer: Corporate Services

MINUTES/.....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING

16 OCTOBER 2024

ALDERMEN/COUNCILLORS	SIGNATURE
RABIE, AL	
AFRICA, F	
LERM, CH	
NTSABO, L	
NUTT, R	
WILLIAMS, S	

1. OPENING

The Executive Mayor, Ald A Rabie, opened the meeting and allowed a moment of silence. The Municipal Manager, Dr D O'Neill, read the convening notice.

2. APPLICATIONS FOR LEAVE OF ABSENCE**Cllr S Williams**

It should be noted that Cllr S Williams was **absent without leave**.

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 11 September 2024 at 10:00**

RESOLVED:

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 11 September 2024 at 10:00, be confirmed.**

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

The Executive Mayor, Ald A Rabie, draw the MMC's attention to the fact that they must request their directors if an item must be submitted to portfolio committees.

The Deputy, Executive Mayor, Ald L Ntsabo, thanked all involved for the Traffic Bus which was received on 11 October 2024.

The Executive Mayor, Ald A Rabie, gave all MMC's an opportunity to speak and highlight important matters with regards to their respective portfolios. She also gave the Acting CFO, Mr D Louw, an opportunity to speak in the absence of the MMC for Financial Services, Cllr S Williams.

5.
TOURISM MONTHLY REPORT: SEPTEMBER 2024

R Louw
7 October 2024

Divisional Manager : Strategic Support Services

(028) 313 8071

EXECUTIVE SUMMARY

The purpose of this report is to provide and outline activities and initiatives of Tourism to promote the Overstrand. The report covers the activities for September 2024.

RESOLVED:

that the tourism report for September 2024 **be noted**.

RESPONSIBLE OFFICIAL :

R LOUW

TARGET DATE FOR IMPLEMENTATION :

31 OCTOBER 2024

PORTFOLIO COMMITTEE :

MUNICIPAL PUBLIC SAFETY

Chairperson :

Ald L Ntsabo

Committee Members :

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

**1.
MONTHLY MONITORING REPORT FOR THE PERIOD 01 - 31 JULY 2024, AND
01 – 31 AUGUST 2024: DIRECTORATE: MUNICIPAL PUBLIC SAFETY**

**NJ Michaels
13 September 2024**

Director: Municipal Public Safety

(028) 313 8054

EXECUTIVE SUMMARY

The purpose of this report is to give an account of the functioning and activities of the Directorate: Municipal Public Safety for the period 01 July – 31 July 2024, and 01 August – 31 August 2024.

RESOLVED:

that the Monthly Monitoring Report of the functioning and activities of the Directorate: Municipal Public Safety for the period 01 July to 31 July 2024, and 01 August to 31 August 2024 **be noted**.

RESPONSIBLE OFFICIAL :

NJ MICHAELS

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

**2.
FIRE, RESCUE & DISASTER MANAGEMENT 2024 – 2025 FIRE SEASON PLAN**

**NJ Michaels
13 September 2024**

Director: Municipal Public Safety

(028) 313 8054

EXECUTIVE SUMMARY

The purpose of this report is for Council to take note of the 2024 – 2025 Fire Season Plan for Fire, Rescue & Disaster Management. The fire season runs annually between 1 November and 31 May.

RESOLVED:

that the Fire, Rescue & Disaster Management 2024 – 2025 Fire Season Plan **be noted.**

RESPONSIBLE OFFICIAL :

**NJ MICHAELS
L SMITH**

TARGET DATE FOR IMPLEMENTATION :

1 NOVEMBER 2024

**3.
FIRE, RESCUE & DISASTER MANAGEMENT 2024-2025 FESTIVE SEASON PLAN**

**NJ Michaels
13 September 2024**

Director: Municipal Public Safety

(028) 313 8054

EXECUTIVE SUMMARY

The purpose of this report is to take note of the 2024 – 2025 Festive Season Plan for Fire, Rescue & Disaster Management.

RESOLVED:

that the Fire, Rescue & Disaster Management 2024 – 2025 Festive Season Plan **be noted.**

RESPONSIBLE OFFICIAL :

**NJ MICHAELS
L SMITH**

TARGET DATE FOR IMPLEMENTATION :

1 NOVEMBER 2024

PORTFOLIO COMMITTEE :

PLANNING & DEVELOPMENT

Chairperson :

Cllr C Lerm

Committee Members :

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

**1.
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: JULY 2024 –
SEPTEMBER 2024**

**R Kuchar
16 July 2024**

Divisional 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 2 July 2024 – 3 September 2024.

RESOLVED:

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 2 July 2024 – 3 September 2024:

- | | | |
|-----|--|------------------|
| 1. | Erf 4390, Amaryllis Crescent, Betty's Bay | 2 July 2024 |
| 2. | Erf 4267, 35 Andenandra Road, Betty's Bay | 2 July 2024 |
| 3. | Erf 5640, 3 Ursinia Avenue, Kleinmond | 2 July 2024 |
| 4. | Erf 4019, 112 First Avenue, Kleinmond | 5 July 2024 |
| 5. | Erf 3255, 14 Palmiet Road, Kleinmond | 5 July 2024 |
| 6. | Erf 8408, 295 Ninth Street And Erf 4096, 296 Tenth Street, Voëlklip | 22 July 2024 |
| 7. | Erf 6845, 132 Main Road, Northcliff | 30 July 2024 |
| 8. | Erf 424, 33 Dirkie Uys Street, Gansbaai | 31 July 2024 |
| 9. | Farm No. 1012, Division Caledon (Mosaic Lagoon Lodge), Overstrand Municipal Area | 31 July 2024 |
| 10. | Erf 3341, 20 Eleventh Avenue And Erf 3343, 201 Sixth Street, Voëlklip | 2 August 2024 |
| 11. | Erven 101, 103, 104, 107 & 108, Stanford | 8 August 2024 |
| 12. | Erf 7, 20 Moore Street, Stanford | 8 August 2024 |
| 13. | Erf 6199, 18 Reservoir Street, Voëlklip | 14 August 2024 |
| 14. | Erf 4577, 17 Fourth Avenue, Kleinmond | 14 August 2024 |
| 15. | Erf 1620, 17 Tiptol Crescent, Vermont | 14 August 2024 |
| 16. | Erf 4230, 4 De Chatillon Crescent, Onrustrivier | 2 September 2024 |
| 17. | Erf 4683, 29 Dolphin Street, Northcliff | 3 September 2024 |

that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA that took place on 1 August and 29 August 2024:

- | | | |
|----|---------------------------------------|---------------|
| 1. | Erf 193, 2 School Street, Fisherhaven | 1 August 2024 |
|----|---------------------------------------|---------------|

MINUTES OF THE MAYORAL COMMITTEE MEETING**16 OCTOBER 2024**

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|----|---|----------------|
| 2. | Erf 6119, Marine Drive, Northcliff | 29 August 2024 |
| 3. | Erf 5851, 18 Read-Na-Gael, Hermanus Heights | 29 August 2024 |

RESPONSIBLE OFFICIAL :**L TAYLOR****TARGET DATE FOR IMPLEMENTATION :****23 OCTOBER 2024****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

2.

PARTIAL AMENDMENT OF COUNCIL RESOLUTION DATED 29 NOVEMBER 2023 FOR THE DIRECT ALIENATION OF A PORTION OF REMAINDER ERF 1916 PEARLY BEACH, ADJACENT TO ERF 559 PEARLY BEACH, SITUATED ON THE CORNER OF SHORT- AND RIDGE STREET (ROAD RESERVE), PEARLY BEACH, TO MS MELANIE SWANEPOEL

A Le Roux

Divisional Manager: Property Administration

10 September 2024

(028) 316 - 5623

EXECUTIVE SUMMARY

To obtain approval for the partial amendment of Council Resolution dated 29 November 2023 insofar condition 4 which stipulate that no structures of any kind (excluding a boundary wall or fence) may be erected on the said portion of Remainder Erf 1916 Pearly Beach.

RECOMMENDATION TO THE COUNCIL:

1. that amendment of Condition 4 of the Council Resolution dated 29 November 2023 to read as follows, **be approved**; and

that, save for the existing “braai” area, no structures of any kind (excluding a boundary wall or fence) may be erected on the said portion of Remainder Erf 1916 Pearly Beach, which condition must be registered against the title deed of the consolidated property;
2. that, save for the amendment above, the remainder of the conditions imposed in the Council Resolution dated 29 November 2023 remain.

RESPONSIBLE OFFICIAL:

M BEKKER

TARGET DATE FOR IMPLEMENTATION:

30 OCTOBER 2024

TARGET DATE TO INFORM APPLICANT:

30 OCTOBER 2024

TARGET DATE TO INFORM OBJECTOR:

N/A

3.

IN PRINCIPLE APPROVAL FOR THE ALIENATION OF ERF 8959 HERMANUS (SITUATED ON THE CORNER OF SCHULPHOEK BOULEVARD AND MBEKI ROAD, ZWELIHLE) AND A PORTION OF ERF 9079 HERMANUS (SITUATED IN SCHULPHOEK BOULEVARD) TO BE CONSOLIDATED (JOINTLY ±5,060M² IN EXTENT), BY MEANS OF A COMPETITIVE PROCESS

R Kuchar

Divisional Manager: Town & Spatial Planning

13 September 2024

(028) 313 8900

EXECUTIVE SUMMARY

To obtain in principle approval for the alienation of Erf 8959 Hermanus and a portion of Erf 9079 Hermanus, to be consolidated, jointly ±5,060m² (APPROXIMATELY FIVE THOUSAND AND SIXTY SQUARE METRES) in extent (the "Property"), mainly for business purposes, with consent use for a place of instruction/institution, by means of a competitive process at a market related purchase price.

RECOMMENDATION TO THE COUNCIL:

1. that the alienation of Erf 8959 Hermanus and a portion of Erf 9079 Hermanus to be consolidated, jointly ±5,060m² (FIVE THOUSAND AND SIXTY SQUARE METRES) in extent for mainly business purposes, with a consent use for a place of instruction/institution, by means of a competitive process at a market related price **be approved in principle**;
2. that the successful bidder/purchaser comply with the conditions of approval stipulated in the Decision Letter (dated 6 July 2023) and a condition of sale be imposed that the successful bidder/purchaser be responsible for the development of Remainder Erf 9079 Hermanus in order to accommodate the proposed recreational facilities as per the Decision Letter dated 6 July 2023 in lieu of the purchase price;
3. that all the costs pertaining to the transaction, for example the transfer and related costs, water, services connections and the section 14 advertisement, but excluding the valuation costs, be paid by the successful bidder/purchaser;
4. that an electrical services servitude be registered in favour of the Municipality at the cost of the successful bidder/purchaser;
5. that the funds received by the Municipality for the sale of the (to be) consolidated property be paid into Councils account on dated of registration of the transfer and allocated to the development of the recreational facilities proposed on the Remainder of Erf 9079 Hermanus by the successful bidder, to be released for the to the successful bidder in phases in accordance with a progress and pre-sign-off processes of the administration during implementation of the development of recreational facilities;

6. that a condition be included in the Title Deed of the Property that it may only be used for business purposes, with a consent use for a place of instruction/institution, as per the Overstrand Zoning Scheme Regulations; and
7. 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 KUCHAR

TARGET DATE FOR IMPLEMENTATION :

6 NOVEMBER 2024

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

4.

A PORTION OF REMAINDER FARM NR 581 SITUATED IN ONRUSTRIVIER, KNOWN AS “MILK ON THE BEACH RESTAURANT” AT ONRUS BEACH, APPROVAL FOR COMMENCEMENT OF A PUBLIC PARTICIPATION PROCESS

**A Le Roux
20 August 2024**

Divisional Manager: Property Management

(028) 316 - 5623

EXECUTIVE SUMMARY

To obtain approval to commence the public participation process for the lease of a portion of Remainder Farm Nr 581 situated in Onrustrivier, currently known as “Milk on the Beach Restaurant” at Onrus Beach ($\pm 750\text{m}^2$ in extent), hereinafter referred to as “the Property”, for a period of 9 (NINE) years and 11 (ELEVEN) months for the purpose of a restaurant and kiosk by means of a competitive process as it is envisaged that the total rental income for the proposed lease period will be in excess of R10,000,000.00 (TEN MILLION RAND).

RECOMMENDATION TO THE COUNCIL:

that the Accounting Officer, via the Property Management Division, **be authorised** to commence with the public participation process required by paragraph 19.1(a) of Council’s Administration of Immovable Property Policy (2015), for the long term lease of a portion of Remainder Farm Nr 581, situated in Onrustrivier, currently known as “Milk on the Beach Restaurant” at Onrus Beach ($\pm 750\text{m}^2$ in extent), for restaurant purposes, and to report the outcome of the public participation process thereon to Council in order for it to make a reasoned, deliberate decision in principle to proceed with the proposed competitive process for the said long term lease.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

17 NOVEMBER 2024

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

5.

PARTIAL ADMENDMENT OF RESOLUTION DATED 28 OCTOBER 2021 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

**A Le Roux
2 September 2024**

**Divisional Manager: Property Management
(028) 316 5623**

EXECUTIVE SUMMARY

To obtain approval for the partial amendment of Council Resolution dated 28 October 2021 for the transfer of a portion of Erf 2423 Betty's Bay (municipal owned) adjacent to Erf 2674 Betty's Bay (previously owned by African Pro Cure CC). The amendment will entail the substitution of the name of the previous owner, Africa Pro Cure CC, of Erf 2674 Betty's Bay with the new owner of the said erf, MD Joao.

RECOMMENDATION TO THE COUNCIL:

1. that Condition 1 as contained in Council Resolution dated 28 October 2021 be amended to read as follows:

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, Michael Derek Joao, at an amount of R150.00/m² (ONE HUNDRED AND FIFTY RAND PER SQUARE METRE) (VAT excluded) for parking purposes **be approved**;
2. that the current Deed of Sale Agreement between the Municipality and Africa Pro Cure CC be cancelled, and an agreement (on the same terms and conditions) be entered into with the new owner of Erf 2674 Betty's Bay, MD Joao, **be approved**; and
3. that save for the amendment in 1 above, the remainder of the conditions imposed in the Council Resolution dated 28 October 2021 remain.

RESPONSIBLE OFFICIAL :

W MURTZ

TARGET DATE FOR IMPLEMENTATION :

29 NOVEMBER 2024

TARGET DATE TO INFORM APPLICANT :

7 NOVEMBER 2024

TARGET DATE TO INFORM OBJECTOR :

N/A

6.

A PORTION OF ERF 1969 PEARLY BEACH (SITUATED ON THE CORNER OF DASI AND CHURCH STREET, ELUXOLWENI, PEARLY BEACH: PEARLY BEACH HEALTH & WELFARE ORGANISATION (FOR DOLFYNTJIES ECD)

This item was distributed under separate cover.

In terms of Section 20(1) of the Local Government: Municipal Systems Act, No 32 of 2000, read with Rule 17 of the Overstrand Municipality's By-law on Rules of Order for Internal Arrangements, this item must be considered "in committee".

The resolutions under this item shall be minuted in a separate minute book in terms of section 20(1) of the Local Government: Municipal Systems Act, No 32 of 2000 read with Rule 17 of the Overstrand Municipality's By-law on Rules of Order for Internal Arrangements.

PORTFOLIO COMMITTEE :

INFRASTRUCTURE SERVICES

Chairperson :

Cllr C Lerm

Committee Members :

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

**1.
OVERSTRAND MUNICIPALITY: MUNICIPAL INFRASTRUCTURE GRANT –
ANNUAL REPORT 2023/2024**

**SU Muller
3 September 2024**

Chief Engineer: Infrastructure Services

(028) 313 8019

EXECUTIVE SUMMARY

The purpose of this item is to report on the progress of the Municipal Infrastructure Grant (MIG) programme implementation for 2023/2024 financial year. This report serves to evaluate Overstrand Municipality's financial and nonfinancial performance in respect of the MIG in terms of Chapter 3, Section 12(5) of the Division of Revenue Act, 2018.

RECOMMENDATION TO THE COUNCIL:

that Council takes cognisance of the Municipal Infrastructure Grant Annual Report 2023/2024.

RESPONSIBLE OFFICIAL :

S MULLER

TARGET DATE FOR IMPLEMENTATION :

N/A

**2.
BULK WATER SERVICES OPERATION AND MAINTENANCE CONTRACT**

S Müller

Chief Engineer: Infrastructure Services

17 September 2024

(028) 313 8019

EXECUTIVE SUMMARY

This report is to provide the Portfolio Committee with background and update on the procurement, implementation and progress regarding the Bulk Water Services Operation and Maintenance Contract.

RESOLVED:

that the report **be noted**.

RESPONSIBLE OFFICIAL :

S MULLER

TARGET DATE FOR IMPLEMENTATION :

N/A

THE EXECUTIVE MAYOR, ALD A RABIE, REQUESTED THAT THIS ITEM BE RESUBMITTED AT THE NEXT INFRASTRUCTURE SERVICES PORTFOLIO COMMITTEE MEETING.

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr R Nutt

Committee Members :

**Ald K Brice, Cllrs S Williams,
K Ngqandana and B Nombula**

1.
**PRODUCTIVITY OF THE OPERATIONAL TEAMS IN KLEINMOND
ADMINISTRATION**

S Swartz
13 September 2024

Director: Community Services

(028) 313-8029

EXECUTIVE SUMMARY

The purpose of the report is to provide the findings of the investigation that was done into the productivity of the employees and the solutions to address the under performance of the staff.

RESOLVED:

1. that the report **be noted**; and
2. that a follow-up report be submitted to the next Portfolio Committee meeting to see what remedial actions were implemented and if any increase in productivity had occurred.

RESPONSIBLE OFFICIAL :

S SWARTZ

TARGET DATE FOR IMPLEMENTATION :

ONGOING

2.

PERFORMANCE REPORT: BASIC SERVICE DELIVERY WITHIN THE DIRECTORATE: COMMUNITY SERVICES FOR THE PERIOD OF 1 JULY 2023 TO 30 JUNE 2024

T Steenberg Principal Engineer: Civil Engineering Services
17 September 2024

(028) 313 8922

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the basic service delivery activities performed during the period of 1 July 2023 to 30 June 2024.

RESOLVED:

that the Performance Report in respect of the basic service delivery within the Directorate: Community Services for the period 1 July 2023 to 30 June 2024, **be noted.**

RESPONSIBLE OFFICIAL :

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

TARGET DATE FOR IMPLEMENTATION :

ONGOING

**PORTFOLIO COMMITTEE :
CORPORATE SERVICES**

Chairperson :

Cllr F Africa

Committee Members :

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

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

PORTFOLIO COMMITTEE :

FINANCIAL SERVICES

Chairperson :

Cllr S Williams

Committee Members :

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

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

The meeting adjourned at 10:04

13/11/2024
DATE


DR. A RABIE - EXECUTIVE MAYOR