



**ORDINARY MEETING OF THE MAYORAL  
COMMITTEE**

**GEWONE VERGADERING VAN DIE  
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI  
KASODOLOPHU**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 11 SEPTEMBER / SEPTEMBER  
2024**

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

**TIME / TYD / IXESHA : 10:00**

# OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

**MINUTES OF AN ORDINARY MEETING OF THE  
MAYORAL COMMITTEE  
HELD IN THE BANQUETING HALL  
ON 11 SEPTEMBER 2024, AT 10:00**

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**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  
Mr S Müller, Chief Engineer : Infrastructure Services  
Mr R Kuchar, Divisional Manager : Town & Regional Planning  
Ms A Le Roux, Divisional Manager : Property Management  
Mr L Smith, Chief : Fire, Rescue and Disaster Management  
Ms H van Tonder, Manager : Administrative Support Services  
Ms G Erasmus, Facilities Administrator  
Ms S Swart, Senior Committee Officer: Corporate Services

**ALSO PRESENT:**

Members of the Public




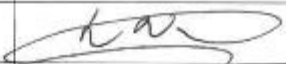


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**MINUTES/.....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING

11 SEPTEMBER 2024

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

**1. OPENING**

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

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

None

**3. CONFIRMATION OF MINUTES**

- 3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 14 August 2024 at 10:00**

**RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 14 August 2024 at 10:00, be confirmed.**

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

The Deputy Executive Mayor, Ald L Ntsabo, reported on stone throwing incidents which occurred at the Hawston as well as the Swartdam Road traffic lights and that no evidence could be seen on the CCTV. He gave the insurance that the situation will be monitored constantly.

The Executive Mayor, Ald A Rabie, reported that she was informed that transporting of drugs takes place on school buses from and to Gansbaai, Kleinmond and Hermanus. The Deputy Executive Mayor, Ald L Ntsabo, informed that the situation is receiving attention by the SAPS, Law Enforcement, K9 Unit and the headmasters of the different schools.

The Executive Mayor, Ald A Rabie, requested Cllr F Africa to inform the meeting about the stressful situation in the abalone industry and Cllr Africa reported that a lot of staff are being retrenched at different abalone farms. Cllr C Lerm requested that some of these staff members who are affected should be assisted by registering them on the Municipality's database for seasonal workers. The Executive Mayor requested Cllrs Lerm and Africa to investigate the matter further.

The Deputy Executive Mayor, Ald L Ntsabo, informed the meeting that, during the first weekend of September 2024, a male was arrested for being in

possession of illegal abalone and crayfish and that the investigation will be continued.

The Executive Mayor, Ald A Rabie, requested the Municipal Manager, Dr D O'Neill, to report on SALGA matters and he reported as follows:

- SALGA requested inputs from municipalities on the Draft Western Cape Public Library Services Bill and he referred to Clause 7 of the Bill which provides the assignment of functions of public library services to municipalities. The Overstrand Municipality will submit inputs before the due date which is 20 September 2024.
- A 5-year Salary and Wage Collective Agreement was signed between the Western Cape Division SALGBC and the two Unions within municipalities, namely Imatu and Samwu. The agreement will be implemented from 1 July 2024 until 30 June 2029. On a question by the Executive Mayor if enough funds are available for such an increase, the Municipal Manager confirmed that it is still within the 6% increase budgeted for salaries, together with the company contribution towards medical aids and housing subsidies.

The Executive Mayor, Ald A Rabie, requested that a date be established for a EMT meeting where feedback be given on the progress of the 2024/2025 capital budget as well as the timeframe for the awarding of tenders.

The Executive Mayor, Ald A Rabie, reported that herself and the Municipal Manager held a meeting on 10 September 2024 with the community of Pringle Bay on the issue of possible mediation. Residents were requested to provide questions to Cllr T Els on or before Friday, 13 September 2024 which will be included in a survey and also suggestions for a suitable mediator to deal with the matter.

The Executive Mayor, Ald A Rabie, informed the meeting that the Minister of the Department of Forestry & Fisheries will soon pay a visit to the Overstrand and will visit all harbours and slipways. There were requests from around the table that marine resources funds, the business plan for the water wing, as well as the matters of small-scale fishermen and co-ops be discussed with the minister.

The Executive Mayor, Ald A Rabie, then reported on the issue of libraries which is a consistent challenge because functions are being assigned to the municipality which are not in the municipality's constitutional mandate as such mandate is unfunded. The mandate can only be accepted if funds are to follow. She also reiterated that it is time to build the new library as Overstrand Municipality has been waiting for funds from Provincial Government for two years already.

The Executive Mayor, Ald A Rabie, reported on the events taking place in the Overstrand between 20 – 30 September 2024, namely:

- Vissermans Festival in Gansbaai
- Chelsea Flower Show in Stanford together with the setting up of Christmas lights
- Milkwood Youth Festival in Zwelihle
- Whale Festival

It was confirmed by Ald L Ntsabo and Mr L Smith that all triangular meetings were held in this regard, except for the Milkwood Youth Festival, which will take place on 12 September 2024. All the necessary plans were issued, and all four departments are ready as far as compliance is concerned.

The Executive Mayor, Ald A Rabie, changed the order of business and Items 7, 8, 9 and 10 on the agenda were first dealt with as proposed by the Deputy Executive Mayor.

**THIS ITEM WAS DEALT WITH AFTER THE CONSIDERATION OF ITEMS 7, 8, 9 AND 10**

**CLLR C LERM RECUSED HIMSELF AT 11:18 AND WAS NOT PRESENT DURING THE CONSIDERATION OF ITEMS 5 AND 6 ON THE AGENDA**

**5.  
A PORTION OF ERF 775 FISHERHAVEN: LEASE OF MUNICIPAL PROPERTY TO POINT CARAVAN RESORT (PTY) LTD**

**A Le Roux  
1 July 2024**

**Divisional Manager: Property Management**

**(028) 316 - 5623**

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**EXECUTIVE SUMMARY**

To obtain approval to enter into a lease agreement with Point Caravan Resort (Pty) Ltd in respect of municipal property, being a portion of Erf 775 Fisherhaven (2,1284 Hectares in extent) situated next to Riverside Drive, Fisherhaven, hereinafter referred to as "the Property", for a period of 25 (TWENTY-FIVE) years for the lease, development, management and maintenance of municipal property as holiday resort.

**RECOMMENDATION TO THE COUNCIL:**

1. that the lease of municipal property, being a portion of Erf 775 Fisherhaven (2,1284 Hectares in extent), to Point Caravan Resort (Pty) Ltd for the lease, development, management and maintenance of municipal property as a holiday resort at an initial rental amount of R32,907.25 (THIRTY-TWO THOUSAND NINE HUNDRED AND SEVEN RAND AND TWENTY-FIVE CENTS) (VAT included) per month for a rental period of 25 (TWENTY FIVE) years in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**;
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the consumer price index (all items), the first escalation to be 1 July 2025;
3. that Point Caravan Resort (Pty) Ltd be responsible for all costs relating to the registering of the lease agreement against the title deed of the Property and all associated processes;
4. that Point Caravan Resort (Pty) Ltd enters into a services agreement with the Municipality for the provision of services in terms of the tender, applicable legislation and Council policies; and
5. that a final advertisement be placed at the cost of the Municipality to inform the public of the outcome of the tender award and Council's decision as to the lease period.

**RESPONSIBLE OFFICIAL :**

**M ERASMUS**

**TARGET DATE FOR IMPLEMENTATION :**

**9 OCTOBER 2024**

**TARGET DATE TO INFORM APPLICANT :**

**9 OCTOBER 2024**

6.

**A PORTION OF ERF 5327 AND A PORTION OF 4831, HERMANUS (DE MOND):  
LEASE OF MUNICIPAL PROPERTY TO POINT CARAVAN RESORT (PTY) LTD****SW van der Merwe      Senior Town Planner : Town & Spatial Planning  
26 July 2024****(028) 313 – 8900**

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**EXECUTIVE SUMMARY**

To obtain approval to:

- a) enter into a lease agreement with Point Caravan Resort (Pty) Ltd in respect of municipal property, being a portion of Erf 5327, Hermanus ( $\pm 0,70$ ha in extent) and a portion of Erf 4831 Hermanus ( $\pm 9,94$ ha in extent) (total lease area of  $\pm 10,64$ ha) situated south east of Seventeenth Avenue, Hermanus and south of the R43 towards Stanford, here, hereinafter referred to as “the Property”, for a lease period of 45 (FOURTY-FIVE) years for the lease and development of municipal property as a public resort; and
- b) Deviate from paragraph 40 of the Administration of Immovable Property Policy to fix the annual escalation rate of the rental to be received at 8% (EIGHT PERCENT).

**THE MEETING STOOD DOWN AT 11:33****THE MEETING RESUMED AT 11:42****RECOMMENDATION TO THE COUNCIL:**

1. that the lease of municipal property, being a portion of Erf 5327 Hermanus ( $\pm 0,70$ ha in extent) and a portion of Erf 4831 Hermanus ( $\pm 9,94$ ha in extent) (total lease area of  $\pm 10,64$ ha in extent) to Point Caravan Resort (Pty) Ltd for the lease, development, management and maintenance of municipal property as a public resort for a lease period of 45 (FOURTY-FIVE) years at an initial rental amount of R117,735.80 (ONE HUNDRED AND SEVENTEEN THOUSAND SEVEN HUNDRED AND THIRTY FIVE RAND AND EIGHTY CENTS (VAT included) per month, in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**;
2. that a period of at the most 2 (TWO) years from 1 July 2024 be allowed for the planning and developing on the Property, which 2 (TWO) years will form part of the 45 (FORTY-FIVE) years lease period and the rental payable for this planning and development period be negotiated between the Municipality and Point Caravan Resort (Pty) Ltd;
3. that the rental amount mentioned in 1 above escalate every year on the 1st of July with 8% (EIGHT PERCENT) and not CPI as stipulated in the Administration of Immovable Property Policy, the first escalation to be 1 July 2027;

4. that Point Caravan Resort (Pty) Ltd be responsible for all costs relating to the registering of the lease agreement against the title deed of the Property and all associated processes;
5. that Point Caravan Resort (Pty) Ltd enters into a services agreement with the Municipality for the provision of services in terms of the tender, applicable legislation and Council policies; and
6. that a final advertisement for information purposes only be placed at the cost of the Municipality to inform the public of the outcome of the tender award and Council's decision as to the lease period.

**RESPONSIBLE OFFICIAL :**

**S VAN DER MERWE**

**TARGET DATE FOR IMPLEMENTATION :**

**9 OCTOBER 2024**

**TARGET DATE TO INFORM APPLICANT :**

**9 OCTOBER 2024**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

**ITEMS 7, 8, 9 AND 10 WERE FIRST DEALT WITH**

7.

**A PORTION OF REMAINDER ERF 5462 KLEINMOND: LEASE OF MUNICIPAL PROPERTY TO GAPSPOT (PTY) LTD**A Le Roux  
1 July 2024

Divisional Manager: Property Administration

(028) 316 - 5623

**EXECUTIVE SUMMARY**

To obtain approval to enter into a lease agreement with Gapspot (Pty) Ltd in respect of municipal property, being a portion of Remainder Erf 5462 Kleinmond ( $\pm 7,2$  Hectares in extent) known as the Kleinmond Caravan Park, hereinafter referred to as "the Property", for a period of 25 (TWENTY-FIVE) years for the lease, management and maintenance of municipal property as a public resort.

**RESOLVED:**

1. that the lease of municipal property, being a portion of Remainder Erf 5462 Kleinmond (7,2 Hectares in extent), to Gapspot (Pty) Ltd for the lease, management and maintenance of municipal property as a public resort at the rental amount of R10,000.00 (TEN THOUSAND RAND) (VAT included) per month for a rental period of 25 (TWENTY FIVE) years in terms of the Administration of Immoveable Property Policy of the Overstrand Municipality, **be approved;**
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the consumer price index, the first escalation to be 1 July 2025; and
3. that Gapspot (Pty) Ltd be responsible for the costs of registering the lease agreement against the title deed of the Property and all associated processes.

**RESPONSIBLE OFFICIAL :****M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****9 OCTOBER 2024****TARGET DATE TO INFORM APPLICANT :****9 OCTOBER 2024****TARGET DATE TO INFORM OBJECTOR :****N/A**

**8. MUNICIPAL LEASES: COMMUNITY HALLS/FACILITIES MANAGED BY THIRD PARTIES**

**A Le Roux**  
**3 September 2024**

**Divisional Manager: Property Management**

**(028) 316-5623**

**EXECUTIVE SUMMARY**

To provide information to the Executive Mayor on the municipal leases for the community halls/facilities managed by third parties.

**RESOLVED:**

that the status of the community halls/facilities leased to and managed by third parties as listed below be noted:

1. Pringle Bay Ratepayers Association – Pringle Bay Community Hall
2. Betty's Bay Ratepayers Association – Crassula Hall
3. Sjechinah Christian Centre – Hawston "Selfboustoor"
4. De Wetsaal Bestuurskomitee – De Wet Hall
5. Sandbaaisaal Bestuurskomitee – Sandbaai Hall
6. Mount Pleasant Business Centre Committee – Mount Pleasant Multi-purpose Centre

**RESPONSIBLE OFFICIAL :**

**A LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**9 OCTOBER 2024**

**TARGET DATE TO INFORM APPLICANT :**

**N/A**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

**9.**  
**TOURISM MONTHLY REPORT: AUGUST 2024**

**R Louw**  
**4 September 2024**

**Divisional Manager: Strategic Support Services**

**(028) 313 8071**

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**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 August 2024.

**RESOLVED:**

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

**RESPONSIBLE OFFICIAL :**

**R LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**30 SEPTEMBER 2024**

**10.  
WORKING PLAN FOR CLEARING MUNICIPAL PROPERTY**

**N Michaels  
22 July 2024**

**Director: Municipal Public Safety**

**(028) 313 8054**

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**EXECUTIVE SUMMARY**

The purpose of this report is to table a Draft Working Plan for the clearing of Municipal Property across the Overstrand jurisdiction.

**RESOLVED:**

that the Draft Working Plan for the clearing of municipal property, **be adopted.**

**RESPONSIBLE OFFICIAL :**

**L SMITH**

**TARGET DATE FOR IMPLEMENTATION :**

**1 OCTOBER 2024**

**THE EXECUTIVE MAYOR, ALD A RABIE, REQUESTED THAT THIS ITEM BE SUBMITTED TO WARD COMMITTEES AND THAT MR L SMITH AND MEMBERS FROM THE ENVIRONMENTAL DEPARTMENT ATTEND THE WARD COMMITTEE MEETINGS**

**The meeting adjourned at 11:45**

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**DATE**

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**DR. A RABIE - EXECUTIVE MAYOR**