



**ORDINARY MEETING OF THE MAYORAL  
COMMITTEE**

**GEWONE VERGADERING VAN DIE  
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI  
KASODOLOPHU**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 28 APRIL / APRELI 2016**

**VENUE / PLEK / INDAWO : BANQUETING HALL,  
BANKETSAAL**

**CIVIC CENTRE / BURGERSENTRUM / IZIKO LOLUNTU  
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, CIVIC CENTRE,  
HERMANUS, ON 28 APRIL 2016, AT 10:00**

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**PRESENT/ TEENWOORDIG**

Councillors were present as per attached attendance register.

**OFFICIALS PRESENT/  
AMPTENARE TEENWOORDIG**

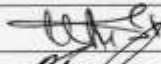

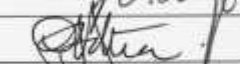
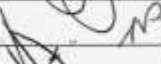


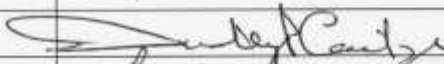


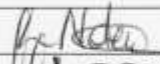
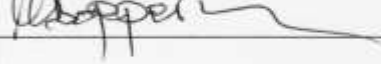

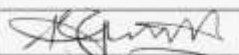
Mr C Groenewald, Municipal Manager  
Ms S Reyneke-Naudé, Director : Finance  
Mr S Madikane, Director : Local Economic  
Development  
Mr H Blignaut, Acting Director : Infrastructure &  
Planning  
Mr R Williams, Director : Community Services  
Ms D Arrison, Director : Management Services  
Mr N Michaels, Director : Protection Services  
Ms H van der Stoep: Representing the Senior  
Manager: Town Planning & Property Management  
Mr S van der Merwe : Senior Town Planner  
Mr X Kosi, Manager : LED  
Ms G Bucchianeri : Manager: Budget Office  
Interns  
Ms R Louw, Senior Manager : Strategic Services  
Ms E Sales, PA : Director: Infrastructure &  
Planning  
Ms H van Tonder, Manager : Council Support  
Services  
Ms S Swart: Administrative Officer : Council  
Support Services  
Ms D Laing, Clerk : Auditorium  
ICT

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**MINUTES/.....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING  
28 APRIL 2016

ALDERMAN/COUNCILLORS	SIGNATURE
ANDREWS, M	
APPELGREIN, P	
BEYERS-CRONJE, L	
BOTHA, D	
BOTHA-GUTHRIE, N	
BRICE, K	
COETSEE, A	
COETZEE, DP	
DE CONING, R	
DYANI, M	
GXAMESI, S	
JANUARIE, JJS	
KLOPPERS-LOURENS J	
NQINATA, NNT	
KRIGE, L	
MACOTHA, VC	
MANDINDI, CQ	
MAY, P	
NDEVU, L	
OPPERMAN, M	
PIE, MT	
PONOANE, MV	
PRINS, A	
SAPEPA, NM	
SMITH, RJ	

**1. OPENING**

The meeting was opened with prayer by Cllr L Krige.

The Municipal Manager, Mr C Groenewald, 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 **Wednesday, 30 March 2016 at 10:00**

**RESOLVED**

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 30 March 2016 at 10:00, be confirmed.**

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

The Executive Mayor, Ald N Botha-Guthrie, thanked the Director: Protection Services, Mr N Michaels, for acting as Municipal Manager, especially during the difficult period of unrest in Stanford.

The Executive Mayor, Ald N Botha-Guthrie, reported that Overstrand is a Western Cape finalist for the Town of the Year Competition.

5.  
**SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT – 2015/2016 :  
3<sup>RD</sup> QUARTER: 01 JANUARY TO 31 MARCH 2016**

8/2/2

C Le Roux  
08 April 2016

(028) 313 8107

Corporate Head Office

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**EXECUTIVE SUMMARY**

In terms of Clause 6(3) of Council's Supply Chain Management Policy, the Municipal Manager must, within 10 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 **cognisance be taken** of the activities undertaken and outcomes achieved in the implementation of the Overstrand Municipality Supply Chain Management Policy for the 3<sup>rd</sup> Quarter of 2015/2016.

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

6.  
**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)  
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR MARCH 2016**

8/2/2

C Le Roux  
15 April 2016

(028) 313 8080

Corporate Head Office

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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, as well as approvals in terms of 16(1)(b) and 17(1)(c) for March 2016.

**RECOMMENDATION TO THE COUNCIL:**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for March 2016, **be noted**; and
2. that the awards made in terms of Paragraph 16(1)(b) and 17(1)(c), approved in terms of the delegated authority for March 2016, **be noted**.

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

7.

**QUARTERLY BANK ACCOUNT WITHDRAWALS NOT IN TERMS OF AN APPROVED BUDGET FOR MARCH 2016**

5/18/R

B A King

(028) 313 8154

Corporate Head Office

15 April 2016

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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 not in terms of an Approved Budget for the quarter ended March 2016, **be noted**.

**RESPONSIBLE OFFICIAL :****BA KING****TARGET DATE FOR IMPLEMENTATION :****TO BE NOTED**

8.  
QUARTERLY BUDGET REPORT FOR APRIL 2016

5/1/17-2015/2016

(028) 313 8154

Corporate Head Office

B A King

19 April 2016

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**EXECUTIVE SUMMARY**

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

**RECOMMENDATION TO THE COUNCIL:**

that the budget report for the quarter ended April 2016, prepared as part of the financial reporting obligations arising from the Local Government: Municipal Finance Management Act, 2003, **be noted**.

**RESPONSIBLE OFFICIAL :**

**BA KING**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**



**9.  
4<sup>th</sup> ADJUSTMENTS BUDGET 2015/2016 (ADDITIONAL WESTERN CAPE  
PROVINCIAL ALLOCATIONS)**

**5/1/17-2015/2016**

**BA KING**

**(028) 313 8154**

**Corporate Head Office**

**21 April 2016**

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**EXECUTIVE SUMMARY**

Report prepared in terms of section 28(2)(b) of the Local Government: Municipal Finance Management Act, 2003 (MFMA) for the appropriation of additional revenues that have become available through the adjusted Western Cape Provincial allocations for 2015/2016, accelerated spending on the Human Settlements Grant (HSDG) for 2016/2017 and a mSCOA reclassification.

**RECOMMENDATION TO THE COUNCIL:**

1. that, in terms of section 28(2)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the 4<sup>th</sup> Adjustments Budget for 2015/2016 **be approved** as set out in the following schedules:

- Schedule 1:** Budgeted financial performance (revenue & expenditure by municipal vote)
- Schedule 2:** Budgeted financial performance (revenue by source & expenditure by type)
- Schedule 3:** Budgeted multi-year capital appropriations by standard classification (vote) and associated funding by source
- Schedule 4:** Budgeted financial position
- Schedule 5:** Budgeted cash flow
- Schedule 6:** Cash backed reserves and acc. surplus reconciliation
- Schedule 7:** Asset management
- Schedule 8:** Basic service delivery measurement

2. that the following schedules be noted:

- Schedule 9:** Budgeted financial performance (revenue & expenditure by standard classification)
- Schedule 10:** Budgeted capital appropriations by municipal vote

**RESPONSIBLE OFFICIAL :**

**BA KING**

**TARGET DATE FOR IMPLEMENTATION :**

**29 APRIL 2016**

**10.  
REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
FOR 2015/16**

9/1/2/5

R Louw

(028) 313 8071

Corporate Head Office

13 April 2016

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**EXECUTIVE SUMMARY**

The purpose of this report is to submit a revised Service Delivery and Budget Implementation Plan (SDBIP) for 2015/16 to Council for approval.

**RECOMMENDATION TO THE COUNCIL:**

1. that the revised SDBIP for 2015/16 **be approved.**
2. that the amendments to the Departmental and Top Layer SDBIP for 2015/16 **be approved;** and
3. that the revised SDBIP for 2015/16 **be made public.**

**RESPONSIBLE OFFICIAL :**

**R LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**5 MAY 2016**

**PORTFOLIO COMMITTEE :**  
**FINANCE & ECONOMIC DEVELOPMENT**

**Chairperson :**

**Cllr D Coetzee**

**Committee Members :**

**Ald P May, Cllrs L Krige,  
R de Coning, S Gxamesi**

**PORTEFEULJEKOMITEE :**  
**FINANSIES & EKONOMIESE ONTWIKKELING**

**Voorsitter :**

**Rdl D Coetzee**

**Komiteeëde:**

**Rdh P May, Rdle L Krige,  
R de Coning, S Gxamesi**

1.  
**ECONOMIC DEVELOPMENT AND TOURISM SERVICE DELIVERY AND ACTIVITY  
REPORT: JANUARY TO MARCH 2016**

9/1/2/2

Solomzi Madikane

(028) 3138066

Corporate Head Office

28 April 2016

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**EXECUTIVE SUMMARY**

The purpose of the report is to inform Council on the activities as performed by the Directorate for the third quarter.

**RESOLVED:**

that the Economic Development and Tourism Service Delivery and Activity Report for the period January to March 2016, **be noted**.

**RESPONSIBLE OFFICIAL :**

**X KOSI**

**TARGET DATE FOR IMPLEMENTATION :**

**31 MARCH 2016**

2.  
SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
THIRD QUARTERLY REPORT: JANUARY- MARCH 2016

9/1/2/5

R Louw

23 March 2016

(028) 313 8071

Hermanus Administration

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**REMARK :**

**THIS ITEM WAS CONSIDERED AS ITEM 3 AT THE MANAGEMENT SERVICES PORTFOLIO COMMITTEE MEETING.**

**PORTFOLIO COMMITTEE :**

**MANAGEMENT SERVICES**

**Chairperson :**

**Ald P Appelgrein**

**Committee Members :**

**Cllrs J Kloppers-Lourens, M Andrews,  
M Sapepa & C Mandindi**

**PORTEFEULJEKOMITEE :**

**BESTUURSDIENSTE**

**Voorsitter :**

**Rdh P Appelgrein**

**Komiteelede :**

**RdleJ Kloppers-Lourens, M Andrews,  
M Sapepa & C Mandindi**

1.  
**REVISION OF POLICY ON MEMBERSHIP OF MEDICAL AID FUNDS**

4/5/6/1/B

L Bucchianeri

(028) 3138120

Corporate Head Office

01 March 2016

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**EXECUTIVE SUMMARY**

The purpose of this report is to recommend to Council the approval of the reviewed Policy on Membership of Medical Aid Funds and Registration of Dependants on Accredited Medical Aid Funds.

**RECOMMENDATION TO THE COUNCIL:**

that the reviewed Policy on Membership of Medical Aid Funds and Registration of Dependants on Accredited Medical Aid Funds, **be approved.**

**RESPONSIBLE OFFICIAL :**

**L BUCCHIANERI**

**TARGET DATE FOR IMPLEMENTATION :**

**1 MAY 2016**

2.  
DRAFT DRESS CODE GUIDELINES

4/7/5/B

L Bucchianeri

(028) 3138120

Corporate Head Office

01 March 2016

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**EXECUTIVE SUMMARY**

The purpose of this report is to recommend to Council the approval of the Draft Dress Code Guidelines.

**RECOMMENDATION TO THE COUNCIL:**

that the draft Dress Code Guidelines **be approved**.

**RESPONSIBLE OFFICIAL :**

**L BUCCHIANERI**

**TARGET DATE FOR IMPLEMENTATION :**

**1 MAY 2016**



3.  
**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
THIRD QUARTERLY REPORT: JANUARY- MARCH 2016**

9/1/2/5

R Louw

(028) 313 8071

Hermanus Administration

23 March 2016

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**EXECUTIVE SUMMARY**

The purpose of this report is to provide an executive summary of service delivery performance in terms of the top level SDBIP for the third quarter, 2 January 2016 to 31 March 2016.

**RECOMMENDATION TO THE COUNCIL:**

that the content of the report for the third quarter of the 2015/16 financial year on the top level Service Delivery and Budget Implementation Plan, **be noted**.

**RESPONSIBLE OFFICIAL :**

**R LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

**PORTFOLIO COMMITTEE :**

**PROTECTION SERVICES**

**Chairperson :**

**Ald P Appelgrein**

**Committee Members :**

**Cllrs A Prins, J Kloppers-Lourens,  
V Macotha & M Pie**

**PORTEFEULJEKOMITEE :**

**BESKERMINGSDIENSTE**

**Voorsitter :**

**Rdh P Appelgrein**

**Komiteeëde :**

**Cllrs A Prins, J Kloppers-Lourens,  
V Macotha & M Pie**

1.  
**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
THIRD QUARTERLY REPORT: JANUARY- MARCH 2016**

9/1/2/5

R Louw

(028) 313 8071

Hermanus Administration

23 March 2016

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**REMARK :**

**THIS ITEM WAS CONSIDERED AS ITEM 3 AT THE MANAGEMENT SERVICES PORTFOLIO COMMITTEE MEETING.**

**PORTFOLIO COMMITTEE :**

**COMMUNITY SERVICES**

**Chairperson :**

**Cllr M Opperman**

**Committee Members :**

**Ald M Ponoane, Cllrs L Beyers-Cronje,  
N Nqinata & L Ndevu**

**PORTEFEULJEKOMITEE :**

**GEMEENSKAPSDIENSTE**

**Voorsitter :**

**Rdl M Opperman**

**Komiteelede :**

**Rdh M Ponoane, Rdle L Beyers-Cronje,  
N Nqinata & L Ndevu**

1.  
**TRANSFER : OVERSTRAND MUNICIPALITY TO MR GERCHAN JOHN HENN :  
ERF 995, HAWSTON**

**17/5/4/1**

**FW Frans**

**(028) 313 8144**

**Hermanus**

**Administration**

**15 March 2016**

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### **EXECUTIVE SUMMARY**

This report is to grant permission for the transfer of Erf 995, Hawston, to Mr Gerchan John Henn.

### **RECOMMENDATION TO THE COUNCIL:**

1. that the permission be granted to transfer of Erf 995, Hawston to Mr Gerchan John Henn; and
2. that the aforementioned approval furthermore be subject to Mr Gerchan John Henn accepting responsibility for the outstanding municipal services account in respect of Erf 995, Hawston.

**RESPONSIBLE OFFICIAL :**

**FW FRANS**

**TARGET DATE FOR IMPLEMENTATION :**

**01 MAY 2016**

2.

**BENEFICIARIES : AFFORDABLE HOUSING PROJECTS: SITE B: 131 ERVEN : MOUNT PLEASANT**

17/5/4/1

FW Frans

(028) 313 8148

Hermanus Administration

14 March 2016

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**EXECUTIVE SUMMARY**

This report is to inform the Executive Mayor of additional lists of potential beneficiaries for the Mount Pleasant : Site B affordable housing project and for approval of the procedure to finalise subsidy applications for potential beneficiaries.

**RESOLVED:**

1. that the list of potential beneficiaries for Site B in Mount Pleasant **be noted**; and
2. that the following procedure for potential beneficiaries to finalise subsidy applications, **be approved**:
  - (a) that potential beneficiaries be given 30 days written notice to complete their subsidy application documentation;
  - (b) that potential beneficiaries that did not respond to the first notice (30 days) be given a final written notice of 7 days; and
  - (c) in the event of any applicants not responding within the mentioned period of 7 days, the available housing opportunities be given to identified additional beneficiaries (replacements).

**RESPONSIBLE OFFICIAL :****FW FRANS****TARGET DATE FOR IMPLEMENTATION :****01 MAY 2016**

3.  
SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
THIRD QUARTERLY REPORT: JANUARY- MARCH 2016

9/1/2/5

R Louw

(028) 313 8071

Hermanus Administration

23 March 2016

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**REMARK :**

**THIS ITEM WAS CONSIDERED AS ITEM 3 AT THE MANAGEMENT SERVICES PORTFOLIO COMMITTEE MEETING.**

**PORTFOLIO COMMITTEE :  
INFRASTRUCTURE & PLANNING**

**Chairperson :**

**Deputy Executive Mayor,  
Cllr R Smith**

**Committee Members :**

**Cllrs K Brice, D Botha  
M Dyani & JJ Januarie**

**PORTEFEULJESKOMITEE :  
INFRASTRUKTUUR & BEPLANNING**

**Voorsitter :**

**Uitvoerende Onderburgemeester  
Rdl R Smith**

**Komiteelede :**

**Rdle K Brice, D Botha  
M Dyani & JJ Januarie**



1.  
**TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS  
 CONSIDERED IN TERMS OF DELEGATED AUTHORITY : FEBRUARY 2016 TO  
 MARCH 2016**

15/3/11

R van Antwerp  
 14 March 2016

(028) 313 8039

Hermanus Administration

**EXECUTIVE SUMMARY**

To report on applications disposed of by the Senior Manager : Town- & Spatial Planning during the period from 6 February 2016 – 14 March 2016.

**RESOLVED:**

that **cognisance be taken** of the town planning applications disposed of by the Senior Manager : Town- & Spatial Planning in terms of delegated authority for the period 6 February 2016 – 14 March 2016:

- |     |  |                  |
|-----|--|------------------|
| 1.  | Erf 1727, Gansbaai   | 8 February 2016  |
| 2.  | Portion 229 of the farm Afdaks Rivier No. 575                  | 9 February 2016  |
| 3.  | Erf 440, Stanford  | 9 February 2016  |
| 4.  | Erf 6393, Mount Pleasant                                       | 10 February 2016 |
| 5.  | Portion 2 of Farm Klipfontein No.711                           | 11 February 2016 |
| 6.  | Erf 3367, Onrus River  | 17 February 2016 |
| 7.  | Erf 5447, Kleinmond  | 19 February 2016 |
| 8.  | Erf 2294, Pearly Beach   | 19 February 2016 |
| 9.  | Erf 2290, Pearly Beach   | 19 February 2016 |
| 10. | Erf 1880, Franskraal   | 19 February 2016 |
| 11. | Portions 130 + 131 of the farm Baardscheeders<br>Bosch No. 213 | 19 February 2016 |
| 12. | Portion 16 of the farm Klipfonteyn No. 711                     | 22 February 2016 |
| 13. | Erven 1789 – 1791, Sandbaai                                    | 25 February 2016 |
| 14. | Erf 1335, Vermont  | 25 February 2016 |
| 15. | Erf 4034, Onrus River  | 25 February 2016 |
| 16. | Erf 2302, Pearly Beach   | 25 February 2016 |
| 17. | Erf 3980, Onrus River  | 25 February 2016 |
| 18. | Erven 1734, 1449, 1450 + 1452, Sandbaai                        | 26 February 2016 |
| 19. | Erf 57, Sandbaai   | 1 March 2016     |
| 20. | Erven 2802 – 2811, 2813, 2814, 2817 + 2829,<br>Gansbaai        | 3 March 2016     |
| 21. | Erf 4103, Onrus River  | 10 March 2016    |
| 22. | Erf 1496, Vermont  | 10 March 2016    |

- |     |                    |               |
|-----|--------------------|---------------|
| 23. | Erf 9944, Hermanus | 10 March 2016 |
| 24. | Erf 4075, Hermanus | 10 March 2016 |

**RESPONSIBLE OFFICIAL :** R VAN ANTWERP

**TARGET DATE FOR IMPLEMENTATION :** 12 MAY 2016

**TARGET DATE TO INFORM APPLICANT :** N/A

**TARGET DATE TO INFORM OBJECTOR :** N/A

2.

**ERF 4517, 42 IXIA ROAD, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA :  
PROPOSED RELAXATION AND DEPARTURE : PM SISSING**

**4517 KBB (2937)**

**H van der Stoep**

**15 February 2016**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 9 June 2015 from PM Sissing on Erf 4517, Betty's Bay for a departure from the relevant Scheme Regulations in order to relax the relevant lateral building line from 2m to 1,5m to accommodate the usage change of the existing carport into a single garage and the existing patio on the first floor into a covered braai room.

An application has also been received for a relaxation of the Title Deed restriction to relax the lateral building line from 3m to 1,5m to accommodate the usage change of the existing carport into a single garage and the existing patio on the first floor into a covered braai room.

**RESOLVED:**

1. that the relaxation of the Title Deed Condition B.6. of Title Deed T55888/2000 on Erf 4517, Betty's Bay to relax the lateral building line from 3m to 1,5m, to accommodate the usage change of the existing carport into a single garage and to accommodate the existing patio on first floor into a covered braai room, **be approved**;
2. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a departure from the relevant Scheme Regulations on Erf 4517, Betty's Bay to relax the relevant lateral building line from 2m to 1,5m to accommodate the usage change of the existing carport into a single garage and to accommodate the existing patio on first floor into a covered braai room, **be approved**, subject to the following conditions:
  - (a) that the openings in the north western boundary of the braai room be removed;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;

- (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that amended building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage; and
  - (e) that all conditions imposed in the Services Report be complied with.
3. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

<b>RESPONSIBLE OFFICIAL :</b>	<b>H VAN DER STOEP</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>12 MAY 2016</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>12 MAY 2016</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>12 MAY 2016</b>

3.

**ERF 1186, 17 DUIKER STREET, VERMONT, OVERSTRAND MUNICIPAL AREA :  
REMOVAL OF RESTRICTIONS, SUBDIVISION AND DEPARTURE : MESSRS PLAN  
ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF JJ NEL AND MM  
JOURDAN**

1186 HVM (3015)

H Olivier

26 February 2016

(028) 313 8900

Hermanus Administration

### EXECUTIVE SUMMARY

An application has been received on 18 August 2015 from Messrs Plan Active Town and Regional Planners on behalf of the property owners, JJ Nel and MM Jourdan, for the removal of a restrictive title condition applicable to Erf 1186, Vermont to enable the owner to remove some restrictive building lines from the Title Deed. The application further entails the following:

- application for the subdivision of Erf 1186, Vermont into a Remainder of 625m<sup>2</sup> and a Portion A of 625m<sup>2</sup> in extend.
- application for departure from the Zoning Scheme Regulations on the new Portion A to relax the northern lateral building line from 2m to 0m to accommodate a garage, as well as to relax the southern lateral building line of the Remainder from 2m to 1m to accommodate the existing dwelling.

### RESOLVED:

1. that, in terms of Removal of Restrictions Act 84 of 1967, the removal of a restrictive title condition applicable to Erf 1186, Vermont to enable the owner to subdivide the property and relax the building lines, **be recommended for approval** by the Provincial Government: Western Cape;
2. that, in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for the subdivision of Erf 1186, Vermont into a Remainder and Portion A each measuring 625m<sup>2</sup> in extent, **be approved**;
3. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for departure from the relevant Scheme Regulations on new Portion A (of Erf 1186) to relax the northern lateral building line from 2m to 0m to accommodate the existing garage, and to relax the southern lateral building line of the Remainder (Erf 1186) from 2m to 1m to accommodate the existing dwelling, **be approved**;

4. that the approvals in 2 and 3 above be subject to the following conditions:
- (a) that this approval only has reference to the Subdivisional Plan Drawing No. *verm1186 5.drw* dated July 2015, as submitted with the application;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that all the conditions in the Services Report be complied with;
  - (e) that all the conditions imposed by Telkom be complied with; and
  - (f) that the approval for the relaxation of building lines is only as indicated on Plan No. *Verm1186.5 drw* dated July 2015.
5. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

**RESPONSIBLE OFFICIAL :**

**H OLIVIER**

**TARGET DATE FOR IMPLEMENTATION :**

**12 MAY 2016**

**TARGET DATE TO INFORM APPLICANT :**

**12 MAY 2016**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

4.

**ERF 2812, 25 ATLANTIC DRIVE, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE : MR B SCORGIE ON BEHALF OF SAP NEWILL**

2812 HON (2877)

H Olivier

2 March 2016

(028) 313 8900

Hermanus Administration

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**EXECUTIVE SUMMARY**

Application has been received on 8 April 2015 from Mr B Scorgie on behalf of SAP Newill on Erf 2812, Onrus River for a departure from the relevant Scheme Regulations in order to relax the 2m northern lateral and rear building lines to 0m to accommodate a single garage with laundry and store room, and also to relax the 2m southern lateral building line to 0,83m and the rear building line from 2m to 1,04 to accommodate the use change of an existing outbuilding into a second dwelling and scullery.

**RESOLVED:**

1. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), application for departure on Erf 2812, Onrus River to relax the 2m northern lateral building line and rear building lines to 0m to accommodate a single garage with laundry and store room, and also to relax the 2m southern lateral building line to 0,83m and the rear building line from 2m to 1,04m to accommodate the use change of an existing outbuilding into a second dwelling and scullery, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of the eastern lateral building line as indicated on Plan No. 2812 Newill dated Sept 2015, submitted with the application;
  - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
  - (e) that all the conditions in the Services Report be complied with;
  - (f) that all the conditions by Telkom in their letter be complied with; and

- (g) that two (2) parking bays provided for the main dwelling and one (1) additional parking bay be provided on-site for the second dwelling and it be indicated on the site plan at building submission phase.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

<b>RESPONSIBLE OFFICIAL :</b>	<b>H OLIVIER</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>12 MAY 2016</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>12 MAY 2016</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>12 MAY 2016</b>



**5.  
ERF 170, 153 MARAIS STREET, FRANSKRAAL, OVERSTRAND MUNICIPAL AREA  
: PROPOSED DEPARTURE : JF & LEJ WALSH**

**170 FK (2993)**

**SW van der Merwe**

**14 March 2016**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

To consider an application for departure received on 24 July 2015 from the owners of Erf 170 Franskraal, JF & LEJ Walsh, in order to relax the 2m lateral building line to 1,5m and 0,07m respectively in order to accommodate a braai room, chimney breast and shade cloth carport. The application also involves the relaxation of the 1,57m lateral Title Deed building line to 0,07m to accommodate the carport.

**RESOLVED:**

1. that the application for the relaxation of restrictive title conditions contained in Title Deed T53015/2014 of Erf 170, Franskraal in order to relax the 1,57m lateral building line to 0,07m, **be approved;**
2. that, in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for departure applicable to Erf 170, Franskraal to relax the 2m lateral building line to 1,5m and 0,07m respectively, **be approved;**
3. that the approvals in paragraphs 1. and 2. above be subject to the following conditions:
  - (a) that this approval only has reference to the relaxation of the building lines as indicated on the Site Development Plan Project No. 153/JW/15 dated 11 June 2015;
  - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department, be complied with at that stage;
  - (c) that all the conditions imposed by the Operational Department and the Department of Environmental Affairs and Development Planning, be adhered to;

- (d) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
  - (e) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with;
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

<b>RESPONSIBLE OFFICIAL :</b>	<b>SW VAN DER MERWE</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>12 MAY 2016</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>12 MAY 2016</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

6.

**ERF 4, 3 DU PLESSIS STREET, FRANSKRAAL : PROPOSED DEPARTURE AND RELAXATION OF RESTRICTIVE TITLE CONDITION : "GERICKE ARGITEKTONIESE DIENSTE" ON BEHALF OF THE INDIGO TRUST**

4 GFK (3128)

SW van der Merwe

14 March 2016

(028) 313 8900

Hermanus Administration

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**EXECUTIVE SUMMARY**

To consider an application for departure and restrictive title deed condition received on 13 November 2015 from "Gericke Argitektoniese Dienste" on behalf of the Indigo Trust, the owner of Erf 4, Franskraal in order to:

- relax the western lateral building line from 2m to 1,5m and a portion on 1,65m, and
- relax the 1,57m restrictive Title Deed building line to 1,5m.

**RESOLVED:**

1. that the application for the relaxation of restrictive title conditions contained in the Title Deed T10237/2001 of Erf 4, Franskraal in order to relax the 1,57m lateral building line up to 1,5m, **be approved**;
2. that the application for departure applicable to Erf 4, Franskraal in order to relax the 2m lateral building line to 1,5m and 1,65m respectively in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985 ), **be approved**;
3. that the approvals in paragraphs 1. and 2. above be subject to the following conditions:
  - (a) that this approval only has reference to the relaxation of the building lines as indicated on the Site Development Plan, Project no. 04/WS/15 dated 2 October 2015;
  - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department, be complied with at that stage;
  - (c) that all the conditions imposed by the Operational Department be adhered to;

- (d) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
  - (f) that the existing outbuildings may not be converted into a second dwelling unit without the prior written approval of the Municipality.
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

<b>RESPONSIBLE OFFICIAL :</b>	<b>SW VAN DER MERWE</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>12 MAY 2016</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>12 MAY 2016</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

7.

**ERF 713, 21 FRONT STREET, DE KELDERS : APPLICATION FOR REMOVAL OF RESTRICTIONS AND SUBDIVISION : MESSRS WRAP CONSULTANCY ON BEHALF OF JV MEINTJIES**

713 GDK (2572)

SW van der Merwe

(028) 313 8900

Hermanus Administration

23 February 2016

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**EXECUTIVE SUMMARY**

An application has been received on 19 May 2014 from Messrs WRAP Consultancy on behalf of the registered owner of Erf 713, De Kelders, JV Meintjies for the removal of restrictive title conditions and the subdivision in two portions, namely a Remainder of  $\pm 699 \text{ m}^2$  and Portion A  $\pm 702 \text{ m}^2$ .

**RESOLVED:**

1. that the application in terms of the Removal of Restrictions Act 84 of 1967 in order to remove condition E, B(e) contained in Title Deed T11510/2014, **be recommended for approval** to the Provincial Government Western Cape;
2. that, in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for the subdivision of Erf 713, De Kelders in two (2) portions, namely Portion A approximately  $702 \text{ m}^2$  and a Remainder approximately  $699 \text{ m}^2$  in extent, **be approved**, subject to the following conditions:
  - (a) the successful removal of the restrictive title condition referred to in paragraph 1 above;
  - (b) that all conditions imposed in the Services Report be complied with;
  - (c) that the approved SG Diagrams be submitted to the Municipality for record purposes;
  - (d) that the approval does not absolve the applicant/owner from compliance with any other relevant legislation and/or Title Deed conditions;
  - (e) that all other development parameters as prescribed in the Overstrand Zoning Scheme Regulations, be complied with;

- (f) that a right of way servitude, minimum 3m wide, be registered across the remainder of Erf 713, De Kelders in favour of the subdivided portion and be written into the Title Deed, and
  - (g) that the development of on the subject property be restricted to one (1) primary dwelling unit only and written into the Title Deed of the new portion as such.
3. that the applicant be notified of its right of appeal in terms of the provisions of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

**RESPONSIBLE OFFICIAL :**

**SW VAN DER MERWE**

**TARGET DATE FOR IMPLEMENTATION :**

**12 MAY 2016**

**TARGET DATE TO INFORM APPLICANT :**

**12 MAY 2016**

**TARGET DATE TO INFORM OBJECTORS:**

**12 MAY2016**

8.

**ERVEN 6225, 6226 & 6227, 237 ELEVENTH STREET, HERMANUS (VOËLKLIP), OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE AND AMENDMENT OF THE SITE DEVELOPMENT PLAN : MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF THE MARDA TRUST, VILDEK BELEGGINGS (PTY) LTD AND THE MARIANA FAMILY TRUST**

6225,6226 &amp; 6227 HVK (3032)

P Roux

(028) 313 8900

Hermanus Administration

9 March 2016

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**EXECUTIVE SUMMARY**

An application has been received on 27 August 2015 from Messrs InterActive Town & Regional Planning on behalf of the owners of Erven 6225, 6226 and 6227, Hermanus, The Marda Trust, Vildek Beleggings (Pty) Ltd and The Mariana Family Trust for the following:

- ❖ a departure from the relevant Scheme Regulations in order to relax the lateral building line from 3m to 2m to accommodate proposed alterations;
- ❖ amendment of the Site Development Plan to accommodate proposed alterations.

**RESOLVED:**

1. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a departure from the relevant Scheme Regulations on Erven 6225, 6226 and 6227, Hermanus (Voëlklip) in order to relax the lateral building line from 3m to 2m to accommodate proposed alterations, **be approved**;
2. that, in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application to amend the Site Development Plan applicable to Erven 6225, 6226 and 6227, Hermanus (Voëlklip) to accommodate proposed alterations, **be approved**;
3. that the approval of paragraphs 1. and 2. above be subject to the following conditions:
  - (a) that no other structures be erected within the building lines and the approval is only for structures as indicated on Plan No's. A100 to A103, dated July 2015, as submitted with the application;
  - (b) that the maximum height be restricted to 8m;

- (c) that all chimneys may not be higher than 1m from the roof or 1m from the height restriction, excluding the cowl and the maximum width of the chimney may not be more than 1m;
  - (d) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control– and the Fire Department, be complied with at that stage;
  - (e) that all other development parameters, as prescribed in the relevant Zoning Scheme, be complied with;
  - (f) that the approval does not absolve the applicant from compliance with any other relevant legislation and/or Title Deed conditions;
  - (g) that all conditions imposed in the Services Report be complied with; and
  - (h) that a Site Development Plan indicating all the structures on Erven 6220, 6225, 6226 and 6227 be submitted to the Senior Manager: Town- and Spatial Planning for approval prior to the approval of building plans.
4. that the applicant be notified of its right of appeal in terms of the provisions of the Local Government Municipal Systems Act, 2000 (Section 62) with regard to the above decision.

**RESPONSIBLE OFFICIAL :**

**P ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**12 MAY 2016**

**TARGET DATE TO INFORM APPLICANT :**

**12 MAY 2016**

**TARGET DATE TO INFORM OBJECTORS:**

**12 MAY2016**



9.

**HERMANUS, A PORTION OF ERF 4771, KNOWN AS “DUTCHIES RESTAURANT”:  
DEVIATION FROM PARAGRAPHS 18 AND 24 OF THE ADMINISTRATION OF  
IMMOVABLE PROPERTY POLICY OF 2015 ALLOWING THE MUNICIPALITY TO  
ENTER INTO A FURTHER TEMPORARY LEASE AGREEMENT WITH SUPERFECTA  
TRADING 608 CC**

7/2/3/1

M Müller

(028) 316-3724

Hermanus Administration

24 March 2016

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**EXECUTIVE SUMMARY**

To obtain approval 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 temporary lease agreement with Superfecta Trading 608 CC in respect of a portion of Erf 4771 Hermanus for the purpose of managing a kiosk/restaurant at Grotto Beach, Hermanus.

**RECOMMENDATION TO THE COUNCIL:**

1. that the deviation from paragraph 18 of the Administration of Immovable Property Policy of 2015 in order to renew the current lease agreement with Superfecta Trading 608 CC for a further period of 2 (TWO) years without following a competitive process, **be approved;**
2. that the deviation from paragraph 24 of the Administration of Immovable Property Policy of 2015 in order to lease the property at the current lease amount (to escalate on 1 July 2016 in terms of the current lease agreement and thereafter on 1 July 2017 and 1 July 2018) being paid and not having to determine the fair market value by appointing a professional valuer; **be approved;**
3. that the renewal of the lease of Municipal Property, being a portion of Erf 4771 Hermanus to Superfecta Trading 608 CC for the management of a kiosk/restaurant at Grotto Beach, Hermanus at a monthly rental amount of R4,209.85 (FOUR THOUSAND TWO HUNDRED AND NINE RAND AND EIGHTY FIVE CENTS) (VAT excluded) until 30 June 2016, where-after the lease amount will escalate on 1 July 2016 with a percentage equal to the prevailing consumer price index (all items) for a period of 2 (TWO) years as from 1 October 2016 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved;** and

4. that the lease amount mentioned in 3 above escalate on 1 July 2017 and 1 July 2018, by a percentage fixed in accordance with the prevailing consumer price index (all items) in accordance with paragraph 40 of the Administration of Immovable Property Policy of 2015.

**RESPONSIBLE OFFICIAL :**

**M MÜLLER**

**TARGET DATE FOR IMPLEMENTATION :**

**20 JUNE 2016**

**TARGET DATE TO INFORM APPLICANT :**

**11 MAY 2016**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

10.  
SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
THIRD QUARTERLY REPORT: JANUARY- MARCH 2016

9/1/2/5

R Louw

(028) 313 8071

Hermanus Administration

23 March 2016

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**REMARK :**

**THIS ITEM WAS CONSIDERED AS ITEM 3 AT THE MANAGEMENT SERVICES PORTFOLIO COMMITTEE MEETING.**

The meeting adjourned at 10:30

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DATE

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N BOTHA-GUTHRIE – EXECUTIVE MAYOR