



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

**DATE / DATUM / UMHLA : 26 AUGUST / AUGUSTUS /
AGASTI 2015**

**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 26 AUGUST 2015, AT 10:00**

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 R Williams, Director : Community Services
Ms D Arrison, Director : Management Services
Mr N Michaels, Director : Protection Services
Mr F Myburgh, Senior Manager : Gansbaai
Administration
Mr H Vorster, Senior Manager : Expenditure &
Assets
Ms H van der Stoep, Senior Town Planner
Ms H van Tonder, Manager : Council Support
Services
Ms E Sales, PA : Director : Infrastructure &
Planning
Ms R Steenekamp, PA : Director : Management
Services
ICT
Interns
Ms S Swart: Administrative Officer : Council
Support Services
Ms D Laing, Relief Clerk : Auditorium

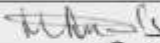
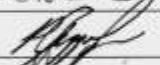

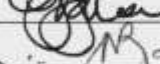
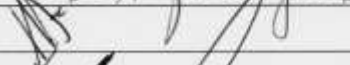


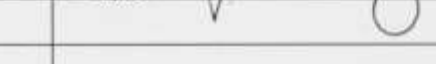

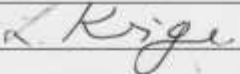
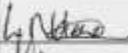


ALSO PRESENT:

Members of the Public

MINUTES/.....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING
26 AUGUST 2015

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	
NQINATA, NNT	
KRIGE, L	
MACOTHA, VC	
MANDINDI, CQ	
MAY, P	
NDEVU, L	
OPPERMAN, M	
PIE, MT	
PONOANE, MV	
PRINS, A	
SAPEPA, NM	
SMITH, RJ	Apology

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

Cllr R Smith

RESOLVED

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

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 24 June 2015 at 10:00**

RESOLVED

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 24 June 2015 at 10:00, be confirmed.**

- 3.2 Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Wednesday, 29 July 2015 at 10:00**

RESOLVED

that the Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Wednesday, 29 July 2015 at 10:00, be confirmed.**

- 3.3 Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Tuesday, 18 August 2015 at 09:30**

RESOLVED

that the Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Tuesday, 18 August 2015 at 09:30, be confirmed.**

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

The Executive Mayor, Ald N Botha-Guthrie, congratulated the Speaker on his birthday and wished him good health for the future.

The Executive Mayor, Ald N Botha-Guthrie, welcomed Dr J Klopper-Lourens, candidate for the by-election in Ward 13.

5.
**FIXED ASSETS: DISPOSAL / DERECOGNITION OF ASSETS FOR THE 2014/15
FINANCIAL YEAR**

6/1/3

J Vorster

(028) 313 8046

Corporate Head Office

11 August 2015

EXECUTIVE SUMMARY

The purpose of the report is to allow Council to consider the implications for Fixed Assets that were disposed of during the period 01 July 2014 to 30 June 2015, to be reflected in the annual financial statements for the year ended 30 June 2015.

RECOMMENDATION TO THE COUNCIL:

1. that it **be noted** that the assets detailed in Annexure A to the agenda are not needed to provide the minimum level of basic municipal services;
2. that the Minor Assets and Control Items written off and sold on Public Auction as detailed in Annexure A and Annexure B to the agenda **be noted**; and
3. that the derecognition of the Infrastructure Assets as detailed in Annexure A to the agenda, **be approved**.

RESPONSIBLE OFFICIAL :

J VORSTER

TARGET DATE FOR IMPLEMENTATION :

31 AUGUST 2015

6.
**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(B) AND 17(1)(C) FOR JULY 2015**

8/2/2

CEM La Cock
13 August 2015

(028) 313 8080

Corporate Head Office

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 July 2015.

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for July 2015, **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 July 2015, **be noted**.

RESPONSIBLE OFFICIAL :

R LA COCK

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

7.
**SUBMISSION OF THE DRAFT UNAUDITED ANNUAL REPORT FOR THE
FINANCIAL YEAR 2014/15**

5/15/1/1

R Louw

(028) 313 8071

Corporate Head Office

19 August 2015

EXECUTIVE SUMMARY

The purpose of this report is to present the draft unaudited Annual Report, for the 2014/15 financial year to Council.

RECOMMENDATION TO THE COUNCIL:

that tabling of the 2014/15 **DRAFT** unaudited Annual Report, **be noted**.

RESPONSIBLE OFFICIAL :

R LOUW

TARGET DATE FOR IMPLEMENTATION :

NONE

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**

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

PORTFOLIO COMMITTEE :

MANAGEMENT SERVICES

Chairperson :

Ald P Appelgrein

Committee Members :

**Cllrs M Andrews,
M Sapepa & C Mandindi**

PORTEFEULJEKOMITEE :

BESTUURSDIENSTE

Voorsitter :

Rdh P Appelgrein

Komiteelede :

**Rdle M Andrews,
M Sapepa & C Mandindi**

1.
**TIME SCHEDULE FOR THE 2016/17 INTEGRATED DEVELOPMENT PLAN (IDP)
REVIEW/ BUDGET PROCESS**

5/1

R Louw

27 July 2015

(028) 313 8071

Corporate Head Office

EXECUTIVE SUMMARY

To inform Council of the time schedule for the IDP review process as well as the compilation of the Budget for the 2016/17 financial year.

RECOMMENDATION TO THE COUNCIL:

that the schedule of key dates for the 2016/17 compilation of an IDP review/ Budget process **be noted**.

RESPONSIBLE OFFICIAL:

R LOUW

TARGET DATE FOR IMPLEMENTATION:

1 SEPTEMBER 2015

2.

AMENDMENTS TO THE STANDARD BY-LAW ON RULES OF ORDER FOR INTERNAL ARRANGEMENTS P.N. 7188, 18 OCTOBER 2013

1/3/22

L Wallace

27 July 2015

(028) 313 5014

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of this report is to amend the Standard By-law on Rules of Order for Internal Arrangements P.N. 7188, 18 October 2013.

RECOMMENDATION TO THE COUNCIL:

that the Municipality's Standard By-law on Rules of Order for Internal Arrangements **be amended as follows:**

1. By the addition of the following definitions in rule 1:

“ **Attire (Female)**” means clothing made up out of a jacket / blazer, skirt or pants, blouse, dress shoes or traditional wear, and which do not reflect any political affiliation or electioneering.”

“ **Attire (Male)**” means clothing made up out of a blazer, pants, long sleeve shirt, dress shoes and a neck tie or traditional wear, and which do not reflect any political affiliation or electioneering.”

“ **Smart Casual**” means for men a collared shirt with pants or jean pants without tie, the patterns and colour of the jacket do not have to match the pants and a jacket is optional”; and

means for women a wide range of options of which skirts or pants or jean pants are acceptable and a jacket is optional.”;

2. By the substitution for the words “signing a leave form and delivering the completed leave form to the Municipal Manager at least 72 hours before the meeting” in Section 9(1) of the words “submitting a written application for leave by means of e-mail, facsimile or hard copy to the Speaker at least 72 hours before the meeting”;
3. By the deletion of sub rule 9(2) and the renumbering of sub rule 9(3), 9(4), 9(5), 9(6), 9(7) and 9(8) to read 9(2), 9(3), 9(4), 9(5), 9(6) and 9(7) where it appears in rule 9;

4. By the addition at the end of rule 19 of the following rule 19A:

“Dress Code for Attendance of Meetings

19.A (1) Councillors -

(a) must dress in business or traditional attire when attending council meetings;

(b) may wear smart casual clothing when attending committee meetings of council;

and

(c) must not wear any clothing affiliated to any political party during council and committee meetings.”

5. By the substitution for the words “provided that such councillor has been invited in writing by the chairperson to attend such meeting for a specific item on the agenda” in rule 21(2) of the words “after being recognised by the chairperson of such committee”; and
6. By the deletion of sub rule 21(3) and the renumbering of sub rule 21(4), 21(5), 21(6), 21(7) and 21(8) to read 21(3), 21(4), 21(5), 21(6) and 21(7).

RESPONSIBLE OFFICIAL :

LIONEL WALLACE

TARGET DATE FOR IMPLEMENTATION :

1 OCTOBER 2015

PORTFOLIO COMMITTEE :

PROTECTION SERVICES

Chairperson :

Ald P Appelgrein

Committee Members :

**Cllrs A Prins,
V Macotha & M Pie**

PORTEFEULJEKOMITEE :

BESKERMINGSDIENSTE

Voorsitter :

Rdh P Appelgrein

Komitee lede :

**Cllrs A Prins,
V Macotha & M Pie**

1.
QUARTERLY MONITORING REPORT FOR THE PERIOD APRIL 2015 TO JUNE 2015: DIRECTORATE: PROTECTION SERVICES

5/20

N J Michaels

(028) 313 8054

Corporate Head Office

18 August 2015

EXECUTIVE SUMMARY

To inform Council of the functioning and activities of the Directorate: Protection Services.

RESOLVED:

that the quarterly monitoring report of the functioning and activities of the Directorate: Protection Services for the period April 2015 to June 2015, **be noted**.

RESPONSIBLE OFFICIAL :

N J MICHAELS

TARGETED DATE:

1 SEPTEMBER 2015

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr M Opperman

Committee Members :

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

PORTEFEULJEKOMITEE :

GEMEENSKAPSDIENSTE

Voorsitter :

Rdl M Opperman

Komiteelede :

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

1.

OVERSTRAND MUNICIPALITY: SELECTION OF HOUSING BENEFICIARIES IN OWNERSHIP-BASED SUBSIDY PROJECTS POLICY

17/5/5/2/4

R Williams

(028) 3138029

Corporate Head Office

24 July 2015

EXECUTIVE SUMMARY

To review the Overstrand Municipality: Housing Selection Policy for Beneficiaries in Ownership-based Subsidy Projects.

RECOMMENDATION TO THE COUNCIL:

that the revised Overstrand Municipality Policy on Selection of Housing Beneficiaries in Ownership-based Subsidy Projects, to make provision for the age-based prioritisation of housing subsidy applicants with regard to green fields projects for households with head(s) (applicant/ and or spouse/cohabiting partner) that are 40 years or older, **be adopted** and **be implemented** with immediate effect.

RESPONSIBLE OFFICIAL :**R WILLIAMS / F FRANS****TARGET DATE FOR IMPLEMENTATION :****WITH IMMEDIATE EFFECT**

2.

BENEFICIARIES: AFFORDABLE HOUSING PROJECT: 220 ERVEN: MOUNT PLEASANT

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

31 July 2015

EXECUTIVE SUMMARY

This report is to inform the Executive Mayor of an additional list of potential beneficiaries for the Mount Pleasant: 220 erven affordable housing project and for approval of the procedure to finalise subsidy applications for potential beneficiaries.

RESOLVED:

1. that the additional lists of beneficiaries for the 220 erven housing project in Mount Pleasant, **be noted**;
2. that Council's decision on 28 May 2015 with regard to the list marked as Annexure B to the agenda : potential beneficiaries under 40 years old, be rescinded; and
3. 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 :****N/A**

3.

BENEFICIARIES : AFFORDABLE HOUSING PROJECT: 131 ERVEN: MOUNT PLEASANT

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

03 August 2015

EXECUTIVE SUMMARY

This report is to inform the Executive Mayor of potential beneficiaries for the Mount Pleasant : 131 erven affordable housing project and for approval of the procedure to finalise subsidy applications for potential beneficiaries.

RESOLVED:

1. that the lists of potential beneficiaries for the 131 erven housing project 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 :****N/A**

4.

BENEFICIARIES: UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME (UISP): 141 ERVEN: MANDELA SQUARE, ZWELIHLE.

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

20 May 2015

EXECUTIVE SUMMARY

This report is to inform the Executive Mayor of potential beneficiaries for the upgrading of the UISP project in Mandela Square, Zwelihle.

RESOLVED:

1. that the list of beneficiaries for the UISP : 141 erven, Mandela Square and Garden site, Zwelihle, **be approved** in order of preference (including disabled beneficiaries) below:
 - a. Families registered on the municipal waiting list.
 - b. Families not registered on the municipal waiting list, but resident in the informal settlement.
 - c. Families residing in the McIntyre hostels.
2. that rental agreements **be concluded** for available erven with beneficiaries not approved for housing subsidies in terms of the UISP.

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

PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING

Acting Chairperson :

Cllr M Opperman

Committee Members :

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

PORTEFEULJEKOMITEE :
INFRASTRUKTUUR & BEPLANNING

Waarnemende Voorsitter :

Rdl M Opperman

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 : MAY 2015 – JULY 2015**

15/3/11

R van Antwerp
 8 July 2015

(028) 313 8039

Corporate Head Office

EXECUTIVE SUMMARY

To report on applications disposed of by the Senior Manager : Town- & Spatial Planning during the period from 19 May 2015 – 3 July 2015.

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 19 May 2015 – 3 July 2015:

1.	Erf 4007, Hermanus	25 May 2015
2.	Erf 757, De Kelders	25 May 2015
3.	Erf 2144, Hermanus	25 May 2015
4.	Portion 7 of the farm Sondagskloof 672	25 May 2015
5.	Erf 97, Sandbaai	26 May 2015
6.	Erf 1825, Vermont	26 May 2015
7.	Erf 2542, Onrus River	26 May 2015
8.	Erf 2870, Onrus River	26 May 2015
9.	Erf 3756, Betty's Bay	1 June 2015
10.	Erf 2107, Vermont	1 June 2015
11.	Erf 3287, Onrus River	1 June 2015
12.	Erf 5502, Hermanus	1 June 2015
13.	Erven 129 and 130, Hermanus	1 June 2015
14.	Erf 225, Hermanus	1 June 2015
15.	Erf 2527, Pearly Beach	5 June 2015
16.	Erf 2375, Pearly Beach	5 June 2015
17.	Erf 401, Van Dyksbaai	5 June 2015
18.	Erf 2155, Hermanus	12 June 2015
19.	Erf 3559, Onrus River	12 June 2015
20.	Erf 3742, Onrus River	12 June 2015
21.	Erven 541 and 574, Hermanus	12 June 2015
22.	Erf 4098, Onrus River	12 June 2015
23.	Erf 407, Hermanus	17 June 2015
24.	Erf 90, Stanford	25 June 2015
25.	Erf 4315, Hermanus	25 June 2015
26.	Portion 21 of the farm Afdakrivier 575	25 June 2015
27.	Erven 2177 and 2178, Vermont	25 June 2015

28.	Erf 4775, Onrus River	25 June 2015
29.	Erf 80, Sandbaai	25 June 2015
30.	Erf 431, Sandbaai	29 June 2015
31.	Erf 475, Hermanus	29 June 2015
32.	Erf 6190, Kleinmond	3 July 2015
33.	Erf 3639, Hermanus	3 July 2015
34.	Erf 512, Franskraal	3 July 2015

RESPONSIBLE OFFICIAL :**R VAN ANTWERP****TARGET DATE FOR IMPLEMENTATION :****9 SEPTEMBER 2015****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

2.

ERF 7011, 277 FOURTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : CH CILLIE

7011 HVK (2848)

P Roux

(028) 313 8900

Hermanus Administration

15 July 2015

EXECUTIVE SUMMARY

An application has been received from CH Cillie on Erf 7011, Voëlklip for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 0m to add a proposed braai room on the property concerned.

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 Erf 7011, Voëlklip, in order to relax the eastern lateral building line from 2m to 0m to add a proposed braai room on the property concerned, **be refused**, based on the following reasons:
 - (a) the close proximity of the proposed braai room to the property boundaries is likely to have a negative impact on the residential amenity of the occupiers of the adjoining property;
 - (b) the openings in the eastern wall do not comply with fire safety standards and as such will pose a fire risk to the adjoining property owners; and
 - (c) the approval of the addition would set an undesirable precedent, the cumulative impact of which would be detrimental to the character of the area.
2. the applicant to adhere to the following conditions:
 - (a) that a building plan be submitted within **60 days** in order to legalise the existing structures;
 - (b) that all other development parameters for a Residential Zone I erf as prescribed in the relevant Zoning Scheme, be complied with; and
 - (c) that all the conditions 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.

RESPONSIBLE OFFICIAL :

P ROUX

TARGET DATE FOR IMPLEMENTATION :

9 SEPTEMBER 2015

TARGET DATE TO INFORM APPLICANT :

9 SEPTEMBER 2015

TARGET DATE TO INFORM OBJECTOR :

9 SEPTEMBER 2015

3.

ERF 928, 54 BERG STREET, DE KELDERS : PROPOSED REMOVAL OF RESTRICTIVE TITLE CONDITION : JA VAN DER VYFER**928 GDK (2623)****SW van der Merwe****(028) 313 8900****Hermanus Administration****25 June 2015**

EXECUTIVE SUMMARY

To consider an application for removal of restrictive title deed condition received on 30 June 2014 from the owners of Erf 928, De Kelders, JA & MB van der Vyfer, in order to accommodate an existing second dwelling unit on the property.

RESOLVED:

1. that, in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967) the application for the removal of restrictive title deed condition in order to accommodate the existing second dwelling unit , **be recommended for approval** to the Provincial Government: Western Cape, subject to the following conditions:
 - (a) that building plans be submitted for approval within 30 days from the final approval of the application by the Provincial Government Western Cape to the Building Control Department of the Municipality;
 - (b) that three onsite parking bays in line with the Site Development Plan be provided for as long as the second dwelling unit remains in existence;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
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.

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	9 SEPTEMBER 2015
TARGET DATE TO INFORM APPLICANT :	9 SEPTEMBER 2015
TARGET DATE TO INFORM OBJECTOR :	9 SEPTEMBER 2015

4.

ERF 3040, 193 CLARENCE DRIVE, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE : BVZPLAN ON BEHALF OF HAROLD PORTER NATIONAL BOTANICAL GARDENS

3040 KKM (2735)**H van der Stoep****22 June 2015****(028) 313 8900****Hermanus Administration**

EXECUTIVE SUMMARY

An application has been received on 17 October 2014 from BvZPlan Professional Planners on behalf of Harold Porter National Botanical Gardens on Erf 3040, Kleinmond for a consent use in order to build new environmental facilities on the property concerned.

RESOLVED:

1. that, in terms of Section 2.2 of the Section 9 Zoning Scheme Regulations of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) application for a consent use on Erf 3040, Betty's Bay in order to build new environmental facilities on the property concerned, **be approved**, subject to the following conditions:
 - (a) that the Site Development Plan as per the Overstrand Zoning Scheme Regulations be submitted for approval before building plans are approved;
 - (b) that an Operational Management Plan be submitted including storm water and water run-off for approval;
 - (c) that the extension of existing staff and administrative buildings be restricted as per plans submitted 14-432-1101;
 - (d) that the educational facility be restricted to the 3,0m building line;
 - (e) that the 3,0m building line only be applicable for the proposed educational facility;
 - (f) that the building only be utilized for conservation and educational events;
 - (g) that parking with regard to disabled facilities be addressed and provided as per SANS 10400-S-2011;
 - (h) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (i) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;

- (j) that all the conditions in the Services Report be complied with; and
 - (k) that all the conditions imposed by the Western Cape Government : Environmental Affairs and Development Planning be complied with.
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 conditions of approval.

RESPONSIBLE OFFICIAL :	H VAN DER STOEP
TARGET DATE FOR IMPLEMENTATION :	8 SEPTEMBER 2015
TARGET DATE TO INFORM APPLICANT :	8 SEPTEMBER 2015
TARGET DATE TO INFORM OBJECTOR :	8 SEPTEMBER 2015

5.

**ERF 497, 30 CHURCH STREET, HERMANUS, OVERSTRAND MUNICIPAL AREA :
PROPOSED DEPARTURE : MA LEDINGHAM**

497HWC (2791)

H van der Stoep

3 July 2015

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 14 January 2015 from MA Ledingham on Erf497, Hermanus for a departure from the relevant Scheme Regulations to relax the street building line from 4m to 3m in order to accommodate an enlargement to the existing en-suite bathroom and to relax the lateral building line from 2m to 1m in order to accommodate a proposed new servant's room on the property concerned.

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 Erf 497, Hermanus in order to relax the street building line from 4m to 3m in order to accommodate an enlargement to the existing en-suite bathroom (paraplegic) on the property concerned, **be approved**, subject to the following conditions:
 - (a) that the bathroom adhere to the SANS 10400-S:2011, Edition 3;
 - (b) that, should the applicant not provide a paraplegic bathroom as per 1(a) above, this departure approval is null and void;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (e) that 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
 - (f) that all the conditions in the Service Report, be complied with.

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 497, Hermanus to relax the lateral building line from 2m to 1m in order to accommodate a proposed new servant's room on the property concerned, **not be approved**, due to the following reasons:
- (a) the erf is vacant and the development can be designed in such a manner to accommodate the maid's room within the prescribed lateral building lines of 2,0m;
 - (b) there is sufficient space available on the erf to accommodate the servant's room within the lateral building lines; and
 - (c) the Overstrand Zoning Scheme Regulations deem a structure utilized for accommodation purposes as a second dwelling and needs to comply with the parameters of the Scheme.
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.

RESPONSIBLE OFFICIAL :

H VAN DER STOEP

TARGET DATE FOR IMPLEMENTATION :

9 SEPTEMBER 2015

TARGET DATE TO INFORM APPLICANT :

9 SEPTEMBER 2015

TARGET DATE TO INFORM OBJECTOR :

N/A

6.

ERF 3010, CNR ATLANTIC- AND BEACH ROAD, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : CW ZIMBERLIN ON BEHALF OF ONRUST TRUST

3010 HON (2785)

H Olivier

8 July 2015

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

Application has been received on 22 December 2014 from CW Zimberlin on behalf of the Onrust Trust on Erf 3010, Onrust River for a departure from the relevant Scheme Regulations in order to relax the north western building line from 4m to 1m to accommodate a braai room, to relax the 3m northern building line to approximately 0,3m to accommodate a new built braai and some alterations to create decking, and also to allow alterations to windows facing the southern boundary, of which the building already encroaches the 2m building line up to approximately 1,2m from the southern property boundary.

Application is also made for departure from the allowable coverage from 55% to 57% to accommodate the new proposed alterations/extensions.

RESOLVED:

1. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure on Erf 3010, Onrus River, to relax the allowable coverage from 55% to 57%, **not be approved**, for the following reasons:
 - (a) it could have a negative impact on the character of the surrounding area;
 - (b) it is not in line with the Overstrand Municipality Growth Management Strategy for the area of Onrust River the erf is located in; and
 - (c) should this application be approved it would create an unwanted precedent for more such applications in the Onrust River area which could then have even a greater impact on the character of this area.

2. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for departure on Erf 3010. Onrust River to relax the 2m southern lateral building line to 1,2m to accommodate alterations to doors and windows, to relax the 3m northern street building line to 0,3m to accommodate a built braai and some alterations to create decking, and also to relax the 4m western building line to 1m to accommodate a braai room, **be approved**, subject to the following conditions:

- (a) that a revised building plan submitted reducing the braai room to ensure coverage on the erf is not more than 55%, to the satisfaction of the Manager: Building Control and Senior Manager: Town- and Spatial Planning;
 - (b) that all the conditions by Telkom in their letter dated 5 May 2015 be complied with;
 - (c) that all the conditions by Eskom in their letter dated 10 March 2015 be complied with;
 - (d) that building plan approval be obtained from Heritage Western Cape prior to the submission of the plan to the Building Department for their approval; and
 - (e) that this approval is only for the relaxation of building lines on the property, and not an approval in terms of any other relevant legislation.
3. that the applicant be notified of his 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 :

9 SEPTEMBER 2015

TARGET DATE TO INFORM APPLICANT :

9 SEPTEMBER 2015

TARGET DATE TO INFORM OBJECTOR :

N/A

7.

ERF 6220, 236 ELEVENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA : REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967), AMENDMENT OF SITE DEVELOPMENT PLAN AND DEPARTURE : MESSRS INTERACTIVE TOWN- AND REGIONAL PLANNING ON BEHALF OF H BLOMERUS

6220 (2677)

P Roux

12 June 2015

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 27 August 2014 from Messrs Interactive Town- and Regional Planning on behalf of the owner, H Blomerus, for the removal of a restrictive title condition applicable to Erf 6220, Hermanus (Voëlklip), to enable the owner to maintain and extend the building on the property, the application also includes the following:

- application in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the amendment of the Site Development Plan (SDP) of Erf 6220, Hermanus (Voëlklip); and
- application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the Overstrand Zoning Scheme Regulations applicable to Erf 6220, Voëlklip, Hermanus to relax the lateral building line from 3m to 2m.

RESOLVED:

1. that, in terms of the Removal of Restrictions Act, Act 84 of 1967 the removal of a restrictive Title Deed conditions applicable to Erf 6220, Hermanus (Voëlklip), to enable the owner to maintain and extend the building on the property, **be recommended for approval** by the Provincial Government: Western Cape;
2. that, in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the amendment of the Site Development Plan of Erf 6220, Hermanus (Voëlklip), **be approved**;
3. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the departure from the Overstrand Zoning Scheme Regulations applicable to Erf 6220, Hermanus (Voëlklip) to relax the lateral building line from 3m to 2m, **be approved**;
4. that the approvals in 2. and 3. above be subject to the following conditions:

- (a) that departure and amendment of the Site Development Plan be subject to the removal of the restrictive title conditions;
 - (b) that building plans be submitted to the Building Department for approval;
 - (c) that all conditions imposed in the Services Report, be complied with;
 - (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.
5. 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.

RESPONSIBLE OFFICIAL :

P ROUX

TARGET DATE FOR IMPLEMENTATION :

9 SEPTEMBER 2015

TARGET DATE TO INFORM APPLICANT :

9 SEPTEMBER 2015

TARGET DATE TO INFORM OBJECTOR :

9 SEPTEMBER 2015

8.

PORTION 2 (LANG BOSCH) OF THE FARM STRANDFONTEIN NO. 712, DIVISION CALEDON, OVERSTRAND MUNICIPAL AREA : PROPOSED REZONING AND SUBDIVISION: MESSRS PLAN ACTIVE ON BEHALF OF OOSTERWIJK STRANDFONTEYN CC

Prt 2/712 (1867)

SW van der Merwe

7 July 2015

(028) 313 8900

HermanusAdministration

EXECUTIVE SUMMARY

To consider an application received on 19 September 2011 from Messrs Plan Active on behalf of the registered owners of Portion 2 (Lang Bosch) of the Farm Strandfontein No. 712, Division Caledon, Oosterwijk Standfontein CC and GV Smit on behalf of Khoisan Bay Estates (Pty) Ltd (developer) for the following:

- subdivision of Farm 712/2 into 2 portions, namely Portion A ($\pm 110,4573$ ha) and a Remainder ($\pm 519,9503$ ha);
- subdivision of Portion A into 3 portions, namely Portion 1 ($\pm 37,895$ ha), Portion 2 ($\pm 18,2336$ ha) and Portion 3 ($\pm 54,3286$ ha);
- rezoning of Portion 2 from Agricultural Zone 1 to Open Space Zone 2 (Private Open Space);
- rezoning of Portion 3 from Agricultural Zone 1 to Open Space Zone 1 (Public Open Space);
- rezoning of Portion 1 to Subdivisional Area and the subsequent subdivision in order to develop 118 Residential Zone 1erven, 1 Transport Zone 2 erf (Public Road), 6 Open Space Zone 1 erven (Public Open Space), 1 Institutional Zone 1 erf, 1 Business Zone 2 erf (Local Business), 4 Group/Townhouse nodes comprising 175 Residential Zone 2 erven (Group Housing) and 179 Residential Zone III erven (townhousing), and 5 Transport Zone 2erven (Private Road).

RESOLVED:

1. that the objections, **be noted**;
2. that the application for subdivision of Portion 2 (Lang Bosch) of Farm Strandfontein No. 712 into Portion A ($\pm 110,4573$ ha) and a Remainder ($\pm 519,9503$ ha) and the further subdivision of Portion A into three portions, namely Portion 1 ($\pm 37,895$ ha), Portion 2 ($\pm 18,2336$ ha) and Portion 3 ($\pm 54,3286$ ha) in terms of the provisions of Section 25 of the Land Use Planning Ordinance, 1985 (No. 15 of 1985), **be approved**;

3. that the application for the rezoning of Portion 2 from Agricultural Zone 1 to Open Space Zone 2 (Private Open Space); Portion 3 from Agricultural Zone 1 to Open Space Zone 1 (Public Open Space); and Portion 1 to Subdivisional Area and the subsequent subdivision in order to develop 118 Residential Zone 1 erven, 1 Transport Zone 2 erf (Public Road), 6 Open Space Zone 1 erven (Public Open Space), 1 Institutional Zone 1 erf, 1 Business Zone 2 erf (Local Business), 4 Group- and Townhouse nodes comprising 175 Residential Zone 2 erven (group housing) and 179 Residential Zone III erven (townhousing), and 5 Transport Zone 2 erven (Private Road) in terms of the provisions of Sections 16 and 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), **be approved**;
4. that the approvals in 2. and 3. above be subject to the following conditions:
 - (a) that a Subdivisional Plan be submitted for endorsement in terms of Section 25 of the Land Use Planning Ordinance, 1985 (No. 15 of 1985) which plan must indicate the corresponding zonings in terms of the Overstrand Zoning Scheme Regulations;
 - (b) that the subdivisions referred to in paragraph 2. above be subject to the approval of Department Agriculture, Forestry and Fisheries in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970);
 - (c) that the development occur in accordance with the development parameters of the corresponding zonings in terms of the Overstrand Zoning Scheme Regulations;
 - (d) that all the conditions in the Municipal Services Report **be complied** with;
 - (e) that all the conditions imposed by the Municipal Services Report; Heritage Western Cape; Department of Transport & Public Works; Department of Agriculture; Eskom, Department of Education, Department of Environmental Affairs and Development Planning (EA), Department of Agriculture, Forestry and Fisheries, CapeNature, Breede-Gouritz Management Catchment Area, Department of Health, Overberg District Municipality, Health, the Municipal Fire Brigade and Environmental Services **be complied** with;
 - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation;

- (g) that a Home Owners' Association be established with compulsory membership for all property owners of single residential, group- and town housing erven and written into the Title Deeds of the erven;
 - (h) that this Home Owners' Association assumes responsibility (including costs) for the provision, maintenance, management and upkeep of the communal property, including Private Open Spaces, Private Roads as well as the maintenance and upkeep of Portion 3 which is to be enrolled into a Cape Nature Stewardship Programme;
 - (i) that the development of the group-, town housing, institutional and commercial sites be subject to the submission of a Site Development Plan, and any further conditions that may be required in this regard;
 - (j) that the constitution(s) of the Home Owners' Association(s) be submitted for approval by the Senior Manager: Town- and Spatial Planning (which reserves the right to impose additional conditions in this regard), and that the constitution *inter alia* clarifies at what stage the responsibility for the provision/maintenance of internal services/facilities and the transfer of the communal property from the land owner/developer to the Home Owners' Association will take place;
 - (k) that a design manual(s) for the group- and town housing node(s) be submitted for prior approval by the Senior Manager: Town- and Spatial Planning for the development and that the Municipality reserves the right to impose additional conditions upon approval of this document; and
 - (l) that a phasing plan be submitted prior to the commencement of the development for approval by the Senior Manager: Town- and Spatial Planning.
5. 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 and conditions of approval.

RESPONSIBLE OFFICIAL :**SW VAN DER MERWE****TARGET DATE FOR IMPLEMENTATION :****9 SEPTEMBER 2015****TARGET DATE TO INFORM APPLICANT :****9 SEPTEMBER 2015****TARGET DATE TO INFORM OBJECTORS :****9 SEPTEMBER 2015**

9.

HERMANUS: TRANSFER OF ERVEN 2694, 2695, 2702, 2703, 2704, 2705, 2709, 2713, 2786, 2789, 2790, 2794, 2911, 2914, 2915, 2916, 2920, 2929, 2933, 2936, 2938, 2939, 2940, HAWSTON FOR RESIDENTIAL PURPOSES AND ERF 2925 (A PORTIONS OF ERF 2672), HAWSTON FOR BUSINESS PURPOSE

5/3/1/2

R Kuchar

(028) 313 8900

Hermanus Administration

30 July 2015

EXECUTIVE SUMMARY

To obtain approval for the transfer of Erven 2694, 2695, 2702, 2703, 2704, 2705, 2709, 2713, 2786, 2789, 2790, 2794, 2911, 2914, 2915, 2916, 2920, 2929, 2933, 2936, 2938, 2939 and 2940, Hawston for residential purposes and Erf 2925 (a Portion of Erf 2672), Hawston for business purpose.

RECOMMENDATION TO THE COUNCIL:

1. that the transfer of Erven 2694, 2695, 2702, 2703, 2704, 2705, 2709, 2713, 2786, 2789, 2790, 2794, 2911, 2914, 2915, 2916, 2920, 2929, 2933, 2936, 2938, 2939 and 2940, Hawston for residential purposes to Suppliers to All (PTY) LTD for the amount of R1 610 000.00 (VAT excluded), **be approved**;
2. that the transfer of Erf 2925 (a Portion of Erf 2672), Hawston for business purpose to OZRAN 57 (PTY) LTD for the amount of R715 000.00 (VAT excluded), **be approved**;
3. that the Municipal Manager be authorised to sign all documents relating to the transfer of the properties mentioned in 1. and 2. above;
4. that cognisance be taken to the fact that the subject Municipal erven are **not required** for the provision of basic municipal services in terms of the provisions of paragraph 5 of Council's Administration of Immovable Property Policy and Section 14 of the Local Government: Municipal Finance Management Act, No. 56 of 2003;
5. that an amount to R21 386.00 (excl VAT) for subsidised housing be retained by the Municipality in lieu of land cost of R2.00 per/m²;
6. that an amount of R34 848.45 (excl VAT) be retained by the Municipality in lieu of bulk services levies of 23 residential erven; and
7. that the remainder income derived from the sale be paid to Izigi V3 as per Agreement and its Addendum.

RESPONSIBLE OFFICIAL :

R KUCHAR

TARGET DATE FOR IMPLEMENTATION :

9 SEPTEMBER 2015

The meeting adjourned at 10:31

DATE

N BOTHA-GUTHRIE – EXECUTIVE MAYOR