



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

DATE / DATUM / UMHLA : 31 MAY / MEI / MEYI 2017

**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 31 MAY 2017, 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
Mr S Madikane, Director : LED
Ms D Arrison, Director : Management Services
Mr R Fraser, Acting Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Mr C le Roux, Deputy Director : Finance
Mr D Lakey, Senior Manager : Kleinmond
Administration
Mr B King, Senior Manager : Financial Services
Ms R Louw, Senior Manager : Strategic Services
Mr D van der Heever : Chief Audit Executive
Ms A le Roux, Manager : Property Administration
Mr R Kuchar, Senior Manager : Town Planning &
Property Management
Ms N Zweni : Manager : Communication
Ms H van Tonder, Manager : Council Support
Services
Ms R Steenekamp, Media & Social Media
Co-ordinator
Mr A Gcotyelwa, Housing Officer Acting as
Interpreter
Ms S Carelse, PRO : Executive Mayor
Ms S Swart: Administrative Officer : Council
Support Services
ICT
Mr W Louw, Risk Officer (Intern)
Ms M de Villiers : Mayoral Committee Secretary

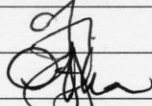
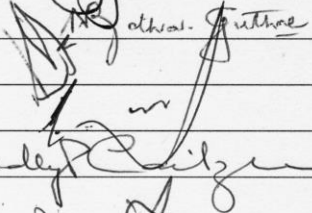
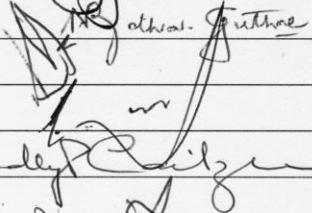
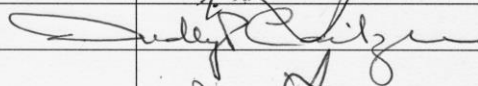
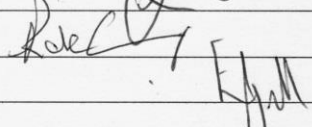
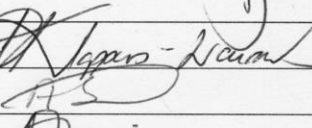
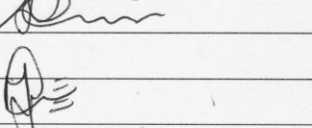
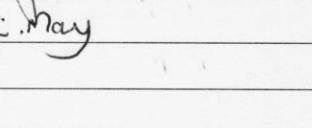
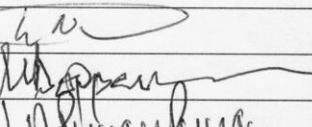
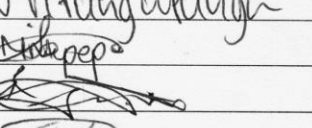


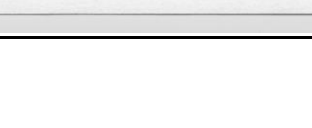

ALSO PRESENT:

Members of the Public

MINUTES/.....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING
31 MAY 2017

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, A	
BOTHA, D	
BOTHA-GUTHRIE, N	
BRICE, KD	
COETSEE, A	
COETZEE, DP	
COHEN, G	
DE CONING, CA	
GILLION, E	
KALOLO, SV	
KLOPPERS-LOURENS J	
KOMANI, AS	
KRIGE, F	
NQINATA, NNT	
MACOTHA, VC	
MAY, C	
MOLEFE, B	
MSWELI, X	
NTSABO, L	
OPPERMAN, M	
PUNGUPUNGU, V	
SAPEPA, NM	
SMITH, RJ	
TAFU-NWONKWO, CC	
TEBELE, S	

1. OPENING

The meeting was opened with prayer by Cllr C May.

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, 29 March 2017 at 10:00**

RESOLVED

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 29 March 2017 at 10:00, be confirmed.**

- 3.2 Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Tuesday, 18 April 2017 at 10:00**

RESOLVED

that the Minutes of a **Special Meeting** of the **Mayoral Committee** held on **Tuesday, 18 April 2017 at 10:00, be confirmed.**

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

None

5.
**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(b) AND 17(1)(c) FOR APRIL 2017**

8/2/2

C Le Roux
05 May 2017

(028) 313 8107

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 Paragraph 16(1)(b) and 17(1)(c) for April 2017.

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for April 2017, **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 April 2017, **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

6.
**FINAL 4th GENERATION INTEGRATED DEVELOPMENT PLAN (IDP) FOR
2017/2021**

2/12/1

R Louw

12 May 2017

(028) 313 8071

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of this report is to table the final 4th Generation IDP for the five year period of 2017/2018 – 2021/2022.

RECOMMENDATION TO THE COUNCIL:

that the final 4th Generation IDP for the five year period of 2017/2021 **be approved.**

RESPONSIBLE OFFICIAL :

R LOUW

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2017

7.
**WATER SERVICES DEVELOPMENT PLAN (IDP SECTOR INPUT REPORT) FOR
2017/18**

1/1/6

H Blignaut

(028) 3135047

Corporate Head Office

11 May 2017

EXECUTIVE SUMMARY

The purpose of this report is to table the final Water Services Development Plan (WSDP) for the 2017/18 financial year for approval by Council.

RECOMMENDATION TO THE COUNCIL:

that the Water Services Development Plan for 2017/18 **be approved**.

RESPONSIBLE OFFICIAL :

H BLIGNAUT

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2017

8.
AIR QUALITY MANAGEMENT PLAN: OVERSTRAND MUNICIPALITY

17/1/2/2

P Aplon

17 April 2017

(028) 316 3724

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of this report is to table the first revision of the Air Quality Management Plan (AQMP) for approval by Council.

RECOMMENDATION TO THE COUNCIL:

1. that the Air Quality Management Plan **be approved**; and
2. that the approved Air Quality Management Plan be included as a Sector Plan in the new 5 year Integrated Development Plan.

RESPONSIBLE OFFICIAL:

P APLON

TARGET DATE FOR IMPLEMENTATION:

1 JULY 2017

9.
OVERSTRAND: SPATIAL DEVELOPMENT FRAMEWORK AND SECTORAL PLANS: OVERSTRAND MUNICIPALITY

15/1/3/10/4

R Kuchar

(028) 313 8900

Hermanus Administration

31 May 2017

EXECUTIVE SUMMARY

This item serves to recommend for approval, the Overstrand Spatial Development Framework (SDF) and Sectoral Plans as part of the Integrated Development Plan.

RECOMMENDATION TO THE COUNCIL:

that the Spatial Development Framework, 2006 and the Sectoral Plans **be incorporated** as a Sectoral Plan to the Integrated Development Plan in terms of Section 34(a) of the Local Government: Municipal Systems Act No.32 of 2000.

RESPONSIBLE OFFICIAL :

R KUCHAR

TARGET DATE FOR IMPLEMENTATION :

1 JUNE 2017

**10.
REVISION OF ALL BUDGET RELATED POLICIES OF THE OVERSTRAND
MUNICIPALITY**

5/B

**S Reyneke-Naude
19 May 2017**

(028) 313 8040

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of the report is to present council with the amended budget related policies for approval and implementation with effect from 1 July 2017.

RECOMMENDATION TO THE COUNCIL:

that the revised budget related policies **be approved** and implemented with effect from 1 July 2017.

RESPONSIBLE OFFICIAL :

S REYNEKE-NAUDE

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2017

11.

FINAL BUDGET FOR OVERSTRAND MUNICIPALITY : 2017/2018

5/1/19-2017/2018

BA King

(028) 313 8154

Corporate Head Office

23 May 2017

EXECUTIVE SUMMARY

This report presents the proposed budget of Overstrand Municipality for the 2017/2018 to 2019/2020 MTREF (Medium Term Revenue and Expenditure Framework) period.

RECOMMENDATION TO THE COUNCIL:

1. that, in terms of section 24 of the Municipal Finance Management Act, (Act 56 of 2003), the annual budget of the Municipality for the 2017/18 to 2019/2020 MTREF (Medium Term Revenue and Expenditure Framework) period **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- and single year capital appropriations by standard classification (vote) and 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 property rates reflected in **Annexure A** to the agenda, **be imposed** for the budget year 2017/18;
3. that tariffs and charges reflected in **Annexure A** to the agenda, **be approved** for the budget year 2017/18;
4. that the Municipal Manager be authorised to sign all the necessary agreements and documents to give effect to the third draw down of the three year borrowing programme for external loans amounting to R30 million per annum;
5. that the following schedules be noted:

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

6. that **cognisance be taken** of the letters of comment received from the community and the LG MTEC 3 Assessment Report by Provincial Treasury and the Provincial Department of Local Government, included in Annexures J and K respectively of the budget report; and
7. that **cognisance be taken** of the 2017/2018 Budget Report.

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2017

12.

**MUNICIPAL REGULATIONS ON A STANDARD CHART OF ACCOUNTS (mSCOA):
PROGRESS ON STATUS OF THE mSCOA IMPLEMENTATION PROJECT**

3/2/3/15

S. Reyneke-Naude

(028) 313 8040

Corporate Head Office

18 May 2017

EXECUTIVE SUMMARY

The purpose of this submission to Council is to:

- 1) Inform Council on specific initiatives to date by National Treasury to enable a full and complete understanding of the scope and extend of the SCOA implementation as applicable to all municipalities and municipal entities;
- 2) Maintain an on-going awareness of the mSCOA initiative in the Overstrand Municipality;
- 3) Report to Council on progress made to date with the implementation of mSCOA at the Overstrand Municipality.

RECOMMENDATION TO THE COUNCIL:

that the mSCOA Progress Report for the implementation of the mSCOA Regulations **be noted.**

RESPONSIBLE OFFICIALS:**S REYNEKE-NAUDE
C LE ROUX
B KING
E HOONEBERG
H VORSTER****TARGET DATE FOR IMPLEMENTATION :****1 JULY 2017**

13.

CONTRACT SC 1701A/2016: PROPOSED AMENDMENT: SOFTWARE AND WEBSITE FOR CARAVAN PARK /CAMPING RESERVATIONS FOR A CONTRACT PERIOD ENDING 30 JUNE 2020.

8/2/2

J van Asperen
15 May 2017

(028) 313 8959

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation on the proposed amendment of CONTRACT NUMBER SC1701/2016: SOFTWARE AND WEBSITE FOR CARAVAN PARK / CAMPING RESERVATIONS FOR A CONTRACT PERIOD ENDING 30 JUNE 2020, in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA), to enable Council to make an informed decision whether to consent to the amendment of the contract.

RECOMMENDATION TO THE COUNCIL:

1. that **cognisance be taken** of the reasons for the proposed amendment of **Contract 1701A/2016 for Software and Website for Caravan park / Camping reservations for a contract period ending 30 June 2020**, in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003), and that the amendment be consented to; and
2. that **cognisance be taken** that no recommendations or representations were received from the local community by closing date, 24 April 2017.

RESPONSIBLE OFFICIAL :

**D KEARNEY
D LAKEY
J VAN ASPEREN
M POTGIETER**

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2017

14.

PROPOSED AMENDMENT OF TWO CONTRACTS REGARDING GEOGRAPHIC INFORMATION SYSTEMS SERVICES (GIS):

CONTRACT SC1634A/2015 PROVISION OF GEOGRAPHIC INFORMATION SYSTEMS (GIS) SERVICES IN THE OVERSTRAND MUNICIPAL AREA AS WELL AS

CONTRACT SC1793/2017 THE ACQUISITION OF A CAPPED ELS LICENSING FEE FOR THE GIS SYSTEM FOR A CONTRACT PERIOD ENDING 30 JUNE 2020
(previously SCD2735/2014)

8/2/2

Lee-Ann Rauch
11/05/2017

(028) 3138910

Hermanus Administration

EXECUTIVE SUMMARY

The purpose of this report is to provide the necessary information and motivation on the proposed amendment of Contracts SCD 2735/2014 (Enterprise License Agreement (ELA) licensing fee for the Geographic Information System (GIS)) and SC 1634/2015 (Provision of Geographic Information System Services Licence Agreement (SLA) in the Overstrand municipal area) to provide the Overstrand municipality with an extension of Geographic Information System (GIS) software licenses and services for a contract period ending 30 June 2020, in terms of the enabling provisions of section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA), to enable Council to make an informed decision whether to consent to the amendment of the contract.

RECOMMENDATION TO THE COUNCIL :

1. that **cognisance be taken** of the reasons for the proposed amendment of the contract SC1634/2015 for the provision of Geographic Information System services in the Overstrand municipal area, and contract SCD2735/2014 for the Enterprise License Agreement (ELA) licensing fee for the Geographical Information System (GIS) in terms of the enabling provision of Section 116(3) of the Local Government : Municipal Finance Management Act 2003 (Act 56 of 2003), and that the amendments be consented to; and
2. that **cognisance be taken** that no recommendations or representations were received from the local community by closing date, 24 April 2017.

RESPONSIBLE OFFICIAL :**L RAUCH****TARGET DATE FOR IMPLEMENTATION :****1 JULY 2017****TARGET DATE TO INFORM APPLICANT :****1 JULY 2017**

15.
REAPPOINTMENT OF COUNCILLORS ON PORTFOLIO COMMITTEES

3/2/3/5

H van Tonder

(028) 313 8037

Council Support Services

4 May 2017

EXECUTIVE SUMMARY

The purpose of the report is to grant Council an opportunity to reappoint Councillors on Portfolio Committees.

RECOMMENDATION TO THE COUNCIL:

1. that resolution 2 under Item 5.23 adopted on 29 March 2017, **be revoked**;
2. that Committees (so-called Portfolio Committees), in terms of section 80, read with section 79, of the Local Government : Municipal Structures Act, No 117 of 1998, **be reappointed**; and
3. that a simple majority of members of any one of the Committees constitutes **a quorum**.

RESPONSIBLE OFFICIAL:

H VAN TONDER

TARGET DATE FOR IMPLEMENTATION:

31 MAY 2017

16.
**REPORT OF THE JOINT AUDIT AND PERFORMANCE AUDIT COMMITTEE
(JAPAC) TO THE OVESTRAND MUNICIPAL COUNCIL**

3/2/3/12

DC Van Der Heever

(028) 313 5035

Internal Audit Services

17 May 2017

EXECUTIVE SUMMARY

The purpose of the report is to present Council with the Report of the Joint Audit and Performance Audit Committee (JAPAC) in terms of the reporting requirements as per paragraph 3 of the JAPAC Charter, approved by Council on 25 May 2016.

RECOMMENDATION TO THE COUNCIL:

that the report from the JAPAC to the Overstrand Municipal Council **be noted**.

RESPONSIBLE OFFICIAL :

DC VAN DER HEEVER

TARGET DATE FOR IMPLEMENTATION :

31 MAY 2017

17.

REVISION OF JOINT AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER

3/2/3/12

DC Van Der Heever

(028) 313 5035

Internal Audit Services

3 April 2017

EXECUTIVE SUMMARY

The purpose of the report is for Council to consider amendments to the Joint Audit and Performance Audit Committee (JAPAC) Charter.

RECOMMENDATION TO THE COUNCIL:

that the revised Joint Audit and Performance Audit Committee Charter **be adopted**.

RESPONSIBLE OFFICIAL:**DC VAN DER HEEVER****TARGET DATE FOR IMPLEMENTATION:****1 JUNE 2017**

**18.
EXECUTIVE MAYOR'S SPECIAL FUND POLICY**

**2/B
CC Groenewald
25 May 2017**

(028) 313 8003

Municipal Manager

EXECUTIVE SUMMARY

The purpose of the report is to adopt an Executive Mayor's Special Fund Policy.

RECOMMENDATION TO COUNCIL:

that the Executive Mayor's Special Fund Policy **be adopted**.

RESPONSIBLE OFFICIAL:

B KING

TARGET DATE FOR IMPLEMENTATION:

1 JULY 2017

PORTFOLIO COMMITTEE :

FINANCE

Chairperson :

**Deputy Executive Mayor
Ald D Coetzee**

Committee Members :

**Cllrs K Brice, G Cohen,
S Tebele, X Msweli & B Molefe**

PORTEFEULJEKOMITEE :

FINANSIES

Voorsitter :

**Uitvoerende Onderburgemeester
Rdl D Coetzee**

Komiteelede :

**Rdle K Brice, G Cohen,
S Tebele, X Msweli & B Molefe**

1.
WRITING OFF OF IRRECOVERABLE DEBT

5/17/1

EM Hooneberg
24 April 2017

(028) 313 8149

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of the report is to request Council to approve the writing off of debt that has become irrecoverable.

RECOMMENDATION TO THE COUNCIL:

that the irrecoverable debt to the value of R372 318.16 as listed below, **be written off** as bad debt:

A	First time write off – Indigent Households	R 91 932.57
B	Indigent water leakages irrecoverable	R190 991.31
C	Final accounts equal or less than R1,500.00	R 1 631.08
D	Other irrecoverable Debt	R 87 763.20
	TOTAL	<u>R372 318.16</u>

RESPONSIBLE OFFICIAL :

EM HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

08 JUNE 2017

PORTFOLIO COMMITTEE :

MANAGEMENT SERVICES

Chairperson :

Cllr R de Coning

Committee Members :

**Ald M Sapepa, Cllrs J Kloppers-Lourens,
M Opperman & N Nqinata**

PORTEFEULJEKOMITEE :

BESTUURSDIENSTE

Voorsitter :

Rdl R de Coning

Komiteelede :

**Rdh M Sapepa, Rdle J Kloppers-Lourens,
M Opperman & N Nqinata**

1.
TELEPHONE POLICY AMENDMENT

2/B

J van Asperen
22 March 2017

(028) 313 8959

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of this report is to recommend to Council the approval of the Amended Telephone Policy.

RECOMMENDATION TO THE COUNCIL:

that the amended Telephone Policy **be adopted**.

RESPONSIBLE OFFICIAL :

J VAN ASPEREN

TARGET DATE FOR IMPLEMENTATION :

MAY 2017

2.
DRAFT PRACTICAL EXPERIENTIAL TRAINING POLICY

4/2/B

L Bucchianeri
14 February 2017

(028) 3138120

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of this report is to recommend to Council to adopt the Draft Practical Experiential Training Policy.

The Draft Practical Experiential Training Policy was developed to accommodate students seeking Practical Experience, in order to complete their studies.

RECOMMENDATION TO THE COUNCIL:

that the draft Practical Experiential Training Policy **be adopted**.

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

MAY 2017

**3.
RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE**

2/B

**Ashwille Riddles
18 April 2017**

(028) 313 5044

Corporate Head Office

EXECUTIVE SUMMARY

To obtain Council's approval for the Risk Management Committee Terms of Reference, that has been reviewed by the Risk Management Committee.

RECOMMENDATION TO THE COUNCIL:

that the Risk Management Committee Terms of Reference **be approved**.

RESPONSIBLE OFFICIAL :

A RIDDLES

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2017

**4.
RISK MANAGEMENT STRATEGY AND POLICY 2017/2018**

2/B

**A Riddles
18 April 2017**

(028) 313 5044

Corporate Head Office

EXECUTIVE SUMMARY

To obtain Council's approval for the Risk Management Strategy as well as the Risk Management Policy for the financial year 2017-2018, that have been reviewed by the Risk Management Committee.

RECOMMENDATION TO THE COUNCIL:

1. that the Risk Management Strategy **be approved**; and
2. that the Risk Management Policy **be approved**.

RESPONSIBLE OFFICIAL :

A RIDDLES

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2017

PORTFOLIO COMMITTEE :

PROTECTION SERVICES

Chairperson :

Cllr F Africa

Committee Members :

**Cllrs K Brice,
V Macotha & S Kalolo**

PORTEFEULJEKOMITEE :

BESKERMINGSDIENSTE

Voorsitter :

Rdl F Africa

Komiteelede :

**Rdle K Brice,
V Macotha & S Kalolo**

1.
**QUARTERLY MONITORING REPORT FOR THE PERIOD JANUARY TO MARCH
2017: DIRECTORATE: PROTECTION SERVICES**

5/20

**N J Michaels
24 April 2017**

(028) 313 8054

Corporate Head Office

EXECUTIVE SUMMARY

To report on the functioning and activities of the Directorate: Protection Services for the period January to March 2017.

RESOLVED:

that that the Quarterly Monitoring Report of the functioning and activities of the Directorate: Protection Services for the period January to March 2017, be **noted**.

RESPONSIBLE OFFICIAL :

N J MICHAELS

TARGET DATE FOR IMPLEMENTATION :

1 JUNE 2017

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr A Komani

Committee Members :

**Ald N Botha-Guthrie, Cllrs L Ntsabo,
V Pungupungu & S Kalolo**

PORTEFEULJEKOMITEE :

GEMEENSKAPSDIENSTE

Voorsitter :

Rdl A Komani

Komiteelede :

**Rdh N Botha-Guthrie, Rdle L Ntsabo,
V Pungupungu & S Kalolo**

1.
WARD COMMITTEE SYSTEM: REVISION OF WARD COMMITTEE RULES

3/B

R Williams

(028) 313 8019

Hermanus Administration

27 March 2017

EXECUTIVE SUMMARY

The purpose of this item is for Council to consider the revised rules regarding the Ward Committee System within the Overstrand Municipal area.

RECOMMENDATION TO THE COUNCIL:

1. that the revised Ward Committee Rules for Overstrand Municipality **be adopted**; and
2. that the Ward Committees of Wards 1 and 9 who do not comply with the woman equity, be afforded the opportunity to resolve the equity challenge in one of the following manners, whichever may occur first, namely:
 - filling of a vacancy that may arise during the term of office; or
 - replacing an existing male representative with a female secundi, where possible

RESPONSIBLE OFFICIALS :

**R WILLIAMS
D LAKEY
D KEARNEY
F MYBURGH
B PLAATJIES
P FERREIRA**

TARGET DATE FOR IMPLEMENTATION :

31 MAY 2017

2.

AMENDMENTS TO THE SWIMMING BEACH CLEANING POLICY

17/6/2/11B

M Bartman

20 March 2017

(028) 313 8982

Hermanus Administration

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider recommended amendments to the Swimming Beach Cleaning Policy.

RECOMMENDATION TO THE COUNCIL:

that the amended Swimming Beach Cleaning Policy **be adopted**.

RESPONSIBLE OFFICIAL :**M BARTMAN****TARGET DATE FOR IMPLEMENTATION :****1 JUNE 2017**

PORTFOLIO COMMITTEE :
ECONOMIC DEVELOPMENT & TOURISM

Chairperson :

Cllr E Gillion

Committee Members :

**Cllrs F Krige, L Ntsabo,
S Tebele & C Tafu-Nwonkwo**

PORTEFEULJEKOMITEE :
EKONOMIESE ONTWIKKELING & TOERISME

Voorsitter :

Rdl E Gillion

Komiteelede :

**Rdle F Krige, L Ntsabo,
S Tebele & C Tafu-Nwonkwo**

1.
**ECONOMIC DEVELOPMENT AND TOURISM SERVICE DELIVERY AND ACTIVITY
REPORT JANUARY TO MARCH 2017**

9/1/2/2

S Madikane

(028) 3138066

Corporate Head Office

25 April 2017

EXECUTIVE SUMMARY

Local Economic Development forms a critical part of the municipality's functions hence it is recognition in Chapters 4, 5, 6 of the Local Government: Municipal Systems Act, No. 32 of 2000. The municipality has a dedicated chapter in its Integrated Development Plan outlining an approach to achieving its identified strategies. This report is therefore designed and outlined as the result of development strategies identified by the municipality through its Integrated Development Plan.

RESOLVED:

that the Economic Development and Tourism Service Delivery and Activity Report for January 2017 to March 2017, **be noted.**

RESPONSIBLE OFFICIAL :

X KOSI

TARGET DATE FOR IMPLEMENTATION :

31 MAY 2017

**PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING**

Chairperson :

Cllr D Botha

Committee Members :

**Cllrs G Cohen, F Krige,
S Tebele & V Pungupungu**

**PORTEFEULJEKOMITEE :
INFRASTRUKTUUR & BEPLANNING**

Voorsitter :

Rdl D Botha

Komiteeëdele :

**Rdle G Cohen, F Krige,
S Tebele & V Pungupungu**

1.
**TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
 CONSIDERED IN TERMS OF DELEGATED AUTHORITY : FEBRUARY 2017 –
 MARCH 2017**

15/3/11

R van Antwerp
 15 March 2017

(028) 313 8039

Hermanus Administration

EXECUTIVE SUMMARY

To report on applications disposed of by the Authority Officer during the period from 16 February 2017 – 15 March 2017 as well as the applications that served before the Municipal Planning Tribunal on 22 February 2017.

RESOLVED:

that cognisance be taken of the town planning applications in terms of the Spatial Land Use Management Act (SPLUMA) disposed of by the Authority Officer (AO) for the period 16 February 2017 – 15 March 2017, as well as the applications that served before the Municipal Planning Tribunal on 22 February 2017:

Spatial Land Use Management Act (SPLUMA) Approvals

1.	Erf 1180, Stanford	28 February 2017
2.	Erf 62, Stanford	28 February 2017
3.	Erf 7328 and Remainder Erf 5694, Hermanus	28 February 2017
4.	Erf 1096, Hermanus	28 February 2017
5.	Erf 1152, Stanford	2 March 2017
6.	Erf 4546, Kleinmond	9 March 2017
7.	Erf 4075, Onrustrivier	9 March 2017
8.	Erf 2500, Onrustrivier	9 March 2017
9.	Erf 1060, Vermont	9 March 2017
10.	Erf 1296, Vermont	9 March 2017
11.	Erf 3179, Kleinmond	9 March 2017
12.	Erf 4174, Hermanus	9 March 2017
13.	Erf 2002, Vermont	9 March 2017
14.	Erf 875, Vermont	9 March 2017
15.	Erf 2365, Betty's Bay	9 March 2017
16.	Erf 5531, Kleinmond	9 March 2017
17.	Erf 8502, Kleinmond	9 March 2017
18.	Erf 5183, Kleinmond	9 March 2017
19.	Erf 7680, Hermanus	9 March 2017

Municipal Planning Tribunal

- | | | |
|----|----------------------------------|------------------|
| 1. | Erf 599 Franskraal | 22 February 2017 |
| 2. | Erven 2840 and 2841, Betty's Bay | 22 February 2017 |
| 3. | Erf 4732, Hermanus | 22 February 2017 |

RESPONSIBLE OFFICIAL :**R VAN ANTWERP****TARGET DATE FOR IMPLEMENTATION :****14 JUNE 2017****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

2.

BETTY'S BAY, A PORTION OF ERF 5492: LEASE OF MUNICIPAL PROPERTY TO CHILD WELFARE SOUTH AFRICA (KLEINMOND)

7/2/3/1

**M Erasmus
5 March 2017****(028) 316-3724****Hermanus Administration****EXECUTIVE SUMMARY**

To obtain approval to enter into a further lease agreement with Child Welfare South Africa (Kleinmond), hereinafter referred to as "Child Welfare", in respect of municipal property, being a portion of Erf 5492 Betty's Bay ($\pm 673\text{m}^2$ in extent) situated in Mooiuitsig, for the management of an early childhood development centre known as the Pikkewyntjies ECD.

RESOLVED:

1. that the lease of Municipal Property, being a portion of Erf 5492 Betty's Bay ($\pm 673\text{m}^2$ in extent) situated in Mooiuitsig to Child Welfare South Africa (Kleinmond) for the purposes of managing an early childhood development centre known as the Pikkewyntjies ECD at the rental amount of R127.53 (ONE HUNDRED AND TWENTY SEVEN RAND AND FIFTY THREE CENTS) (VAT excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months as from 1 December 2016 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved;** and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July by a percentage fixed in accordance with the prevailing consumer price index (all items) with the first escalation being on 1 July 2017.

RESPONSIBLE OFFICIAL :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****30 JUNE 2017****TARGET DATE TO INFORM APPLICANT :****31 MAY 2017****TARGET DATE TO INFORM OBJECTOR :****N/A**

**3.
KLEINMOND, A PORTION OF ERF 5462: LEASE OF MUNICIPAL PROPERTY TO
CHILD WELFARE SOUTH AFRICA (KLEINMOND)**

7/2/3/1

**M Erasmus
2 March 2017**

(028) 316-3724

Hermanus Administration

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Child Welfare South Africa (Kleinmond), hereinafter referred to as "Child Welfare", in respect of municipal property, being a portion of Erf 5462 Kleinmond ($\pm 1\,480\text{m}^2$ in extent) situated in Proteadorp, for the management of an early childhood development centre known as the Heidelberg Crèche.

RESOLVED:

1. that the lease of Municipal Property, being a portion of Erf 5462 Proteadorp ($\pm 1\,480\text{m}^2$ in extent) situated in Kleinmond to Child Welfare South Africa (Kleinmond) for the purposes of managing an early childhood development centre known as the Heidelberg Crèche at the rental amount of R127.53 (ONE HUNDRED AND TWENTY SEVEN RAND AND FIFTY THREE CENTS) (VAT excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months as from 1 December 2016 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved;** and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July by a percentage fixed in accordance with the prevailing consumer price index (all items) with the first escalation being on 1 July 2017.

RESPONSIBLE OFFICIAL :	M ERASMUS
TARGET DATE FOR IMPLEMENTATION :	30 JUNE 2017
TARGET DATE TO INFORM APPLICANT :	31 MAY 2017
TARGET DATE TO INFORM OBJECTOR :	N/A

4.

HERMANUS, A PORTION OF ERF 243, A PORTION OF ERF 1253 AND A PORTION OF ERF 4935: LEASE OF MUNICIPAL PROPERTY TO JOSHGRO INVESTMENTS 9 (PTY) LTD

7/2/3/1

**M Erasmus
5 March 2017**

(028) 316-3724**Hermanus Administration**

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Joshgro Investments 9 (Pty) Ltd, hereafter referred to as "Joshgro", in respect of Municipal Property, being a portion of Erf 243, a portion of Erf 1253 and a portion of Erf 4935 Hermanus (jointly measuring $\pm 160\text{m}^2$ in extent) adjacent to Joshgro's property being Erf 11057 Hermanus for a period of 5 (FIVE) years for the purpose of outdoor seating and restaurant purposes.

RESOLVED:

1. that the lease of Municipal Property, being a portion of Erf 243, a portion of Erf 1253 and a portion of Erf 4935 Hermanus (jointly measuring $\pm 160\text{m}^2$ in extent) to Joshgro Investments 9 (Pty) Ltd for the purpose of two dining terraces for outdoor seating and restaurant purposes at the rental amount of R4 211.40 (FOUR THOUSAND TWO HUNDRED AND ELEVEN RAND AND FORTY CENTS) (VAT excluded) per month for a period of 5 (FIVE) years from 1 October 2016 to 30 September 2021 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate annually on the 1st of July in accordance with the tariffs as determined and approved in the Annual Budget with the first escalation on 1 July 2017.

RESPONSIBLE OFFICIAL :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****30 JUNE 2017****TARGET DATE TO INFORM APPLICANT :****31 MAY 2017****TARGET DATE TO INFORM OBJECTOR :****N/A**

**5.
KLEINMOND, A PORTION OF ERF 5462, LEASE OF MUNICIPAL PROPERTY TO
VODACOM (PTY) LTD**

7/2/3/1

**M Erasmus
5 March 2017**

(028) 316-3724

Hermanus Administration

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Vodacom (Pty) Ltd, hereafter referred to as "Vodacom", in respect of Municipal Property, being a portion of Erf 5462 Kleinmond ($\pm 36\text{m}^2$ in extent) for a period of 9 (NINE) years and 11 (ELEVEN) months for the purpose of a telecommunication base station and related purposes.

RESOLVED:

1. that the lease of Municipal Property, being a portion of Erf 5462 Kleinmond to Vodacom (Pty) Ltd for the purpose of a telecommunication base station and related purposes at the rental amount of R2 052.72 (TWO THOUSAND AND FIFTY TWO RAND AND SEVENTY TWO CENTS) (VAT excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months from 1 June 2016 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate annually on the 1st of July in accordance with the tariffs as determined and approved in the Annual Budget with the first escalation on 1 July 2017.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

30 JUNE 2017

TARGET DATE TO INFORM APPLICANT :

31 MAY 2017

TARGET DATE TO INFORM OBJECTOR :

N/A

**6.
KLEINMOND, A PORTION OF ERF 5462: LEASE OF MUNICIPAL PROPERTY TO
KLEINMOND PRIMARY SCHOOL**

7/2/3/1

**M Erasmus
2 March 2017**

(028) 316-3724

Hermanus Administration

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Kleinmond Primary School in respect of municipal property, being a portion of Erf 5462 Kleindmond ($\pm 1\,292\text{m}^2$ in extent) for the purpose of additional parking and a netball court for the school.

RESOLVED:

1. that the lease of Municipal Property, being a portion of Erf 5462 Kleinmond ($\pm 1\,292\text{m}^2$ in extent) to the Kleinmond Primary School for the purposes of additional parking and a netball court at the rental amount of R127.53 (ONE HUNDRED AND TWENTY SEVEN RAND AND FIFTY THREE CENTS) (VAT excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months as from 1 August 2016 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July by a percentage fixed in accordance with the prevailing consumer price index (all items) with the first escalation being on 1 July 2017.

RESPONSIBLE OFFICIAL :	M ERASMUS
TARGET DATE FOR IMPLEMENTATION :	30 JUNE 2017
TARGET DATE TO INFORM APPLICANT :	31 MAY 2017
TARGET DATE TO INFORM OBJECTOR :	N/A

7.
GANSBAAI, ERF 947: LEASE OF MUNICIPAL PROPERTY TO STRANDLOPERTJIE BEWAARSKOOL

7/2/3/1

M Erasmus

(028) 316-3724

Hermanus Administration

4 March 2017

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement Strandlopertjie Bewaarskool in respect of municipal property, being Erf 947 Gansbaai ($\pm 709\text{m}^2$ in extent) situated in Blompark, for the management of an early childhood development centre known as the Strandlopertjie Bewaarskool.

RESOLVED:

1. that the lease of Municipal Property, being Erf 947 Gansbaai ($\pm 709\text{m}^2$ in extent) situated in Blompark to Strandlopertjie Bewaarskool for the purposes of managing an early childhood development centre known as the Strandlopertjie Bewaarskool at the rental amount of R127.53 (ONE HUNDRED AND TWENTY SEVEN RAND AND FIFTY THREE CENTS) (VAT excluded) per month for a period of 9 (NINE) years and 11 (ELEVEN) months as from 1 December 2016 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July by a percentage fixed in accordance with the prevailing consumer price index (all items) with the first escalation being on 1 July 2017.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

30 JUNE 2017

TARGET DATE TO INFORM APPLICANT :

31 MAY 2017

TARGET DATE TO INFORM OBJECTOR :

N/A

8.
HERMANUS, A PORTION OF ERF 243: LEASE OF MUNICIPAL PROPERTY TO SPRINGSWEG NIGEL EIENDOMME (PTY) LTD T/A HEIDELBERG, NIGEL AND HERMANUS NISSAN

7/2/3/1

M Erasmus
 3 March 2017

(028) 316-3724

Hermanus Administration

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with Springsweg Nigel Eiendomme (Pty) Ltd t/a Heidelberg, Nigel and Hermanus Nissan, hereafter referred to as "Nissan", in respect of Municipal Property, being a portion of Erf 243 Hermanus ($\pm 105\text{m}^2$ in extent) situated in Swartdam Road for a period of 3 (THREE) years for the purpose of displaying and parking of vehicles for sale.

RESOLVED:

1. that the lease of Municipal Property, being a portion of Erf 243 Hermanus ($\pm 105\text{m}^2$ in extent) to Springsweg Nigel Eiendomme (Pty) Ltd t/a Heidelberg, Nigel and Hermanus Nissan for the purpose of displaying and parking of vehicles for sale at the rental amount of R471.79 (FOUR HUNDRED AND SEVENTY ONE AND SEVENTY NINE CENTS) (VAT excluded) per month for a period of 3 (THREE) years from 1 June 2016 to 30 June 2019 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July by a percentage fixed in accordance with the prevailing consumer price index (all items) with the first escalation being on 1 July 2017.

RESPONSIBLE OFFICIAL :	M ERASMUS
TARGET DATE FOR IMPLEMENTATION :	30 JUNE 2017
TARGET DATE TO INFORM APPLICANT :	31 MAY 2017
TARGET DATE TO INFORM OBJECTOR :	N/A

**9.
HERMANUS, A PORTION OF ERF 4831: LEASE OF MUNICIPAL PROPERTY TO
NATIONAL SEA-AND-SAND INSTITUTE**

7/2/3/1

**M Erasmus
5 March 2017**

(028) 316-3724

Hermanus Administration

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with National Sea-And-Sand Institute, hereafter referred to as "Sea-And-Sand", in respect of Municipal Property, being a portion of Erf 4831 Hermanus ($\pm 5\,398\text{m}^2$ in extent) for a period of 9 (NINE) years and 11 (ELEVEN) months for the purpose of a training camp for Sea-And-Sand.

RESOLVED:

1. that the lease of Municipal Property, being a portion of Erf 4831 Hermanus ($\pm 5\,398\text{m}^2$ in extent) to National Sea-And-Sand Institute for the purpose of a training camp for National Sea-And-Sand Institute at the rental amount of R2 818.33 (TWO THOUSAND EIGHT HUNDRED AND EIGHTEEN RAND AND THIRTY THREE CENTS) (VAT excluded) plus the escalation to be done on 1 July 2017 for a period of 9 (NINE) years and 11 (ELEVEN) months from 1 September 2017 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July by a percentage fixed in accordance with the prevailing consumer price index (all items).

RESPONSIBLE OFFICIAL :	M ERASMUS
TARGET DATE FOR IMPLEMENTATION :	30 JUNE 2017
TARGET DATE TO INFORM APPLICANT :	31 MAY 2017
TARGET DATE TO INFORM OBJECTOR :	N/A

10.

HERMANUS, A PORTION OF ERF 4771: LEASE OF MUNICIPAL PROPERTY TO THE ANNUAL HERMANUS CAMP

7/2/3/1

M Erasmus

(028) 316-3724

Hermanus Administration

3 March 2017

EXECUTIVE SUMMARY

To obtain approval to enter into a further lease agreement with The Annual Hermanus Camp, hereafter referred to as "Hermanus Camp", in respect of Municipal Property, being a portion of Erf 4771 Hermanus ($\pm 8\,000\text{m}^2$ in extent) situated in Voëlklip for a period of 9 (NINE) years and 11 (ELEVEN) months for the purpose of holding an annual camp as provided for in their constitution.

RESOLVED:

1. that the lease of Municipal Property, being a portion of Erf 4771 Hermanus ($\pm 8\,000\text{m}^2$ in extent) to The Annual Hermanus Camp for the purpose of holding an annual camp as provided for in their constitution at the rental amount equal to the amount that other community organisations are levied at the time of the finalisation of the lease agreement for a period of 9 (NINE) years and 11 (ELEVEN) months from 1 December 2017 to 31 October 2027 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**; and
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July by a percentage fixed in accordance with the prevailing consumer price index (all items) with the first escalation being on 1 July 2018.

RESPONSIBLE OFFICIAL :**M ERASMUS****TARGET DATE FOR IMPLEMENTATION :****30 JUNE 2017****TARGET DATE TO INFORM APPLICANT :****31 MAY 2017****TARGET DATE TO INFORM OBJECTOR :****N/A**

11.

ERF 71, 8 SWART STREET, VAN DYKSBAAI (KLEINBAAI), OVERSTRAND MUNICIPAL AREA : PROPOSED REZONING & CONSENT USE : MESSRS WRAP CONSULTANCY ON BEHALF OF SC MCFARLANE

121 GKB (1585)

SW van der Merwe

(028) 313 8900

Hermanus Administration

22 March 2017

EXECUTIVE SUMMARY

To consider an application received on 15 November 2010 from Messrs WRAP Consultancy on behalf of the owner of Erf 71, van Dyksbaai, SC McFarlane, for the following:

- amendment of the Greater Gansbaai Spatial Plan: 2004 and the Overstrand Spatial Development Framework: 2006;
- rezoning from Single Residential Zone to Local Business Zone, and
- consent use (tourism business).

RESOLVED:

1. that the objections be noted;
2. that, in terms of the Provisions of Section 16 of the Land Use Planning Ordinance, 985 (Ordinance 15 of 1985) the application for the rezoning of Erf 71, Van Dyksbaai from Residential Zone to Local Business Zone for tourism business purposes, **be approved**;
3. that, in terms of Section 5.7 of the Gansbaai Zoning Scheme Regulations the application for consent use (tourism business and tourism accommodation) to accommodate the existing shark viewing, **be approved**;
4. that the above approval be subject to the following conditions:
 - (a) that a Site Development Plan (SDP) containing the exact location and description of all buildings and structures be submitted for approval by the Senior Manager Town and Spatial Planning;
 - (b) in the event that the SDP in paragraph (a) above demonstrates building line encroachments the applicant will be required to submit a departure application to legalise the building line encroachments within the prescribed period;

- (c) that a parking layout be submitted within thirty (30) days from the final approval of the application to the satisfaction of the Senior Manager Engineering Services;
- (d) that the on-site parking bays be permanently demarcated and surfaced to the satisfaction of the Senior Manager : Engineering Services and at all times be available for use by clients/visitors to the premises. No parking on the road reserve will be permitted;
- (e) that in the event that the parking standard cannot be met on-site, the applicant will be required to make a payment in lieu of onsite parking provision in accordance with the requirements of the scheme regulations;
- (f) in the event that a payment in lieu of parking provision be applicable, such monies to be ring fenced into a parking fund for the planning and development of a communal parking area in van Dyksbaai, as per the van Kleinbaai Nodal Framework Report;
- (g) that the applicable business license in terms of the relevant legislation be obtained;
- (h) that the briefing of clients may only take place indoors;
- (i) that commercial rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
- (j) that the display of advertising shall comply with the Overstrand Signage By-law;
- (k) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
- (l) that the establishment be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area;
- (m) that should any justified complaints with regards to noise and disturbance be received, the applicant be responsible for the appointment of a noise specialist at his cost as well as the implementation of the relevant mitigation measures;
- (n) that all the conditions in the Services Report be complied with;
- (o) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;

- (p) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (q) that Council may impose additional conditions in order to minimise any potential public nuisance.
5. that the applicant be notified of his/her right of appeal in terms of the provisions of Section 62 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and/or the Municipal Systems Act, 2000 (Section 62) with regard to the above decision.

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	14 JUNE 2017
TARGET DATE TO INFORM APPLICANT :	14 JUNE 2017
TARGET DATE TO INFORM OBJECTOR :	14 JUNE 2017

12.

ERF 149, 61 KABELJOU STREET, VAN DYKSBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED REZONING : MESSRS PLANACTIVE TOWN- AND REGIONAL PLANNERS ON BEHALF OF HC ROWORTH

149 GKB (3164)**SW van der Merwe****(028) 313 8900****Hermanus Administration****22 February 2017**

EXECUTIVE SUMMARY

To consider an application received on 15 December 2015 from Messrs PlanActive Town- and Regional Planners on behalf of the owner of Erf 149, Van Dyksbaai (Kleinbaai), HC Roworth, for the rezoning of the property from Residential Zone 1: Single Residential to Business Zone 3: Local Business in order to accommodate an existing shark cage diving business on the property.

RESOLVED:

1. that the objections be noted;
2. that the application for the rezoning of Erf 149, Van Dyksbaai from Residential Zone 1 to Business Zone 3: Local Business for tourism business purposes in terms of the provisions of Section 16 of the Land Use Planning, 1985 (Ordinance 15 of 1985), **be approved**;
3. that the above approval be subject to the following conditions:
 - (a) that a Site Development Plan (SDP) containing the exact location and description of all buildings and structures be submitted for approval by the Senior Manager: Town- and Spatial Planning;
 - (b) in the event that the SDP in paragraph (a) above demonstrates building line encroachments the applicant will be required to submit a departure application to legalise the building line encroachments within the prescribed period;
 - (c) that a parking layout be submitted within thirty (30) days from the final approval of the application to the satisfaction of the Senior Manager: Engineering Services;
 - (d) that in the event that the parking standard cannot be met on-site, the applicant will be required to make a payment in lieu of on-site parking provision in accordance with the requirements of the Scheme Regulations;

- (e) in the event that a payment in lieu of parking provision be applicable, such monies to be ring-fenced into a parking fund for the planning and development of a communal parking area in van Dyksbaai, as per the van Kleinbaai Nodal Framework Report;
 - (f) that the parking area be permanently demarcated and surfaced to the satisfaction of the Senior Manager : Engineering Services and at all times be available for use by clients;
 - (g) that the applicable business license in terms of the relevant legislation be obtained;
 - (h) that the briefing of clients may only take place indoors;
 - (i) that all staff arriving and leaving the premises outside the hours of 08:00 to 18:00 shall utilize the entrance from Geelbek Street;
 - (j) that commercial rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (k) that the display of advertising shall comply with the Overstrand Signage By-law;
 - (l) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
 - (m) that the establishment be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area;
 - (n) that all the conditions in the Services Report be complied with;
 - (o) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation; and
 - (p) that Council may impose additional conditions in order to minimise any potential public nuisance.
4. that the applicant be notified of his/her right of appeal in terms of the provisions of Section 62 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and/or the Municipal Systems Act, 2000 (Section 62) with regard to the above decision.

RESPONSIBLE OFFICIAL : **S VAN DER MERWE**

TARGET DATE FOR IMPLEMENTATION : **14 JUNE 2017**

TARGET DATE TO INFORM APPLICANT : **14 JUNE 2017**

TARGET DATE TO INFORM OBJECTORS : **14 JUNE 2017**

13.

**ERF 12, 1 SWART STREET, VAN DYKSBAAI, OVERSTRAND MUNICIPAL AREA :
PROPOSED REZONING : MESSRS TOWN AND COUNTRY CREATIVE LAND
SOLUTIONS ON BEHALF OF THE WIETS BEUKES TRUST**

12 GKB (2637)

SW van der Merwe

(028) 313 8900

Hermanus Administration

20 March 2017

EXECUTIVE SUMMARY

To consider an application received on 14 July 2014 from Messrs Town and Country Creative Land Solutions on behalf of The Wiets Beukes Trust, the owner of Erf 12, Van Dyksbaai (Kleinbaai), of the following:

- ❖ removal of restrictive title conditions 2 (a), (b) and (d) contained in Title Deed No. T53752/2006 in order to accommodate the existing tourism business activities;
- ❖ rezoning from Residential Zone 1: Single Residential to Business Zone 3: Local Business, and
- ❖ amendment of the Overstrand Spatial Development Framework: 2006 in order to change the reservation of the subject property from residential to business purposes.

RESOLVED:

1. that, in terms of the provisions of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for the rezoning of Erf 12, Van Dyksbaai from Residential Zone 1: Single Residential to Business Zone 3: Local Business in order to accommodate the existing tourism business, **be approved**, subject to the following conditions:
 - (a) that a parking layout be submitted within thirty (30) days from the final approval of the application, which layout shall provide on-site parking in accordance with the provisions of the Scheme Regulations to the satisfaction of the Senior Manager: Engineering Services;
 - (b) that in the event that the parking requirement cannot be met on site, the applicant will be required to make payment in lieu of on-site parking provision in accordance with the provisions of the Scheme Regulations;
 - (c) that in the event that a payment in lieu of parking provision be applicable, such monies payable be ring-fenced into a parking fund for the planning and development of a communal parking area as per the Kleinbaai Nodal Development Framework Report;

- (d) that the on-site parking area be permanently demarcated and surfaced to the satisfaction of the Senior Manager : Engineering Services and at all times be available for use by clients/visitors to the premises;
 - (e) that the applicable business license in terms of the relevant legislation be obtained;
 - (f) that the briefing of clients may only take place indoors;
 - (g) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
 - (h) that commercial rates and services tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (i) that the display of advertising shall comply with the Overstrand Signage By-law;
 - (j) that the establishment be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area;
 - (k) that should any justified complaints with regards to noise and disturbance be received, the applicant be responsible for the appointment of a noise specialist at his cost as well as the implementation of the relevant mitigation measures;
 - (l) that all the conditions in the Services Report be complied with;
 - (m) that building plans be submitted for approval by the Building Control Department within sixty (60) days of the approval of the application;
 - (n) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (o) that Council may impose additional conditions in order to minimise any potential public nuisance; and
 - (p) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of his/her right of appeal in terms of the provisions of Section 62 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) of the Municipal Systems Act 32 of 2000 with regard to the above decision.

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	14 JUNE 2017
TARGET DATE TO INFORM APPLICANT :	14 JUNE 2017
TARGET DATE TO INFORM OBJECTOR :	N/A

14.

ERF 121, 16 GEELBEK STREET, VAN DYKSBAAI (KLEINBAAI), OVERSTRAND MUNICIPAL AREA : PROPOSED REZONING AND CONSENT USE : MESSRS PDM CONSULTING ON BEHALF OF THE SCM TRUST

121 GKB (3164)**SW van der Merwe****(028) 313 8900****Hermanus Administration****20 March 2017**

EXECUTIVE SUMMARY

To consider an application received on 15 November 2010 from Messrs PDM Consulting on behalf of The SCM Trust, the owner of Erf 121, van Dyksbaai, for the following:

- amendment of the Greater Gansbaai Spatial Plan: 2004 and the Overstrand Spatial Development Framework: 2006 (SDF);
- rezoning from Single Residential Zone to Local Business Zone, and
- consent use (tourism business and tourism accommodation) to accommodate the existing shark viewing business and as well as two (2) proposed guest rooms.

RESOLVED:

1. that the objections be noted;
2. that, in terms of the provisions of Section 16 of the Land Use Planning, 1985 (Ordinance 15 of 1985) the application for the rezoning of Erf 121, Van Dyksbaai from Single Residential Zone to Local Business for tourism business purposes, **be approved**;
3. that, in terms of Section 5.7 of the Gansbaai Zoning Scheme Regulations the application for consent use (tourism business and tourism accommodation) to accommodate the existing shark viewing business as well as two proposed guests rooms, **be approved**;
4. that the approvals in 1. and 2. above be subject to the following conditions:
 - (a) that a parking layout be submitted within 30 days from the final approval of the application to the satisfaction of the Senior Manager Engineering Services;
 - (b) that the on-site parking bays be permanently demarcated and surfaced to the satisfaction of the Senior Manager : Engineering Services and at all times be available for use by clients/visitors to the premises. No parking on the road reserve will be permitted;

- (c) that in the event that the parking standard cannot be met on-site, the applicant will be required to make a payment in lieu of onsite parking provision in accordance with the requirements of the scheme regulations;
- (d) in the event that a payment in lieu of parking provision be applicable, such monies to be ring fenced into a parking fund for the planning and development of a communal parking area in Van Dyksbaai, as per the van Kleinbaai Nodal Framework Report;
- (e) that the applicable business license in terms of the relevant legislation be obtained;
- (f) that the briefing of clients may only take place indoors;
- (g) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
- (h) that commercial rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
- (i) that the display of advertising shall comply with the Overstrand Signage By-law;
- (j) that the establishment be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area;
- (k) that should any justified complaints with regards to noise and disturbance be received, the applicant be responsible for the appointment of a noise specialist at his cost as well as the implementation of the relevant mitigation measures;
- (l) that all the conditions in the Services Report be complied with;
- (m) that building plans be submitted for approval by the Building Control Department within 60 days of the approval of this application;
- (n) that no encroachments of the road reserve will be permitted without formal approval by the Municipality;
- (o) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
- (p) that Council may impose additional conditions in order to minimise any potential public nuisance; and

- (q) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
5. that the applicant be notified of his/her right of appeal in terms of the provisions of Section 62 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and/or the Municipal Systems Act, 2000 (Section 62) with regard to the above decision.

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	14 JUNE 2017
TARGET DATE TO INFORM APPLICANT :	14 JUNE 2017
TARGET DATE TO INFORM OBJECTOR :	14 JUNE 2017

15.

ERF 8183, 1 SANDPIPER STREET, HEMEL-EN-AARDE ESTATE, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : RM AND GM LOUW

8183 HMS (2869)

H Olivier

(028) 313 8900

Hermanus Administration

28 February 2017

EXECUTIVE SUMMARY

Application has been received on 26 March 2015 from RM and GM Louw on Erf 8183, Hemel-en-Aarde Estate for a departure from the relevant Scheme Regulations in order to relax the 4m western street building line to 1,5m in order to accommodate a new workshop/store and open balcony on first floor level.

RESOLVED:

1. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), application for departure on Erf 8183, Hemel-en-Aarde to relax the 4m western street building line to 1,5m to accommodate a portion of a proposed store/workshop and a balcony, **not be approved**, for to the following reasons:
 - (a) the Hemel-en-Aarde Estate Home Owners Association (HOA) does not support the application;
 - (b) the Building Control Department does not support the balcony on first floor level;
 - (c) the new proposed structures could negatively impact the street ambiance and the balcony could impact on the privacy of neighbours who resides in Sandpiper Street; and
 - (d) the application could impact on the character of the area.
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 :

H OLIVIER

TARGET DATE FOR IMPLEMENTATION :

14 JUNE 2017

TARGET DATE TO INFORM APPLICANT :

14 JUNE 2017

TARGET DATE TO INFORM OBJECTOR :

N/A

16.

**ERF 8168, 104 MAIN ROAD, KLEINMOND, OVERSTRAND MUNICIPAL AREA :
SUBDIVISION, REZONING AND AMENDMENT OF SPATIAL DEVELOPMENT
FRAMEWORK: MESSRS PLAN ACTIVE ON BEHALF OF THE GRAIL CENTRE
TRUST**

8168 KKM (3236)**H van der Stoep****10 October 2016****(028) 313 8900****Hermanus Administration****EXECUTIVE SUMMARY**

An application has been received on 3 July 2014 from Messrs Plan Active Town and Regional Planners on behalf of the Grail Centre Trust for the establishment of a small shopping centre on proposed Portion A of Erf 8168, Kleinmond (a portion of Erf 4880, Kleinmond).

The following applications were received:

- ❖ Subdivision of Erf 8168 (a portion of Erf 4880), Kleinmond to create 1 new portion (Portion A of ± 8840m²) and a Remainder (± 19 038m²);
- ❖ Rezoning of the subdivided Portion A from Special Zone to Business Zone II, and
- ❖ Amendment of the Overstrand Municipal Spatial Development Framework, 2006 (SDF) in order to accommodate the business premises as proposed (Portion A).

RESOLVED:

that the item be **held in abeyance** until the June 2017 cycle in order for the Executive Mayor to visit the site, together with relevant officials.

RESPONSIBLE OFFICIAL :**H VAN DER STOEP****TARGET DATE FOR IMPLEMENTATION :****14 JUNE 2017****TARGET DATE TO INFORM APPLICANT :****14 JUNE 2017****TARGET DATE TO INFORM OBJECTORS :****14 JUNE 2017**

17.

ERVEN 1138 & 1179, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: PROPOSED CONSOLIDATION, CONSENT USE AND DEPARTURE: MESSRS WRAP CONSULTANCY ON BEHALF OF THE UNIT 121 LEISURE BAY TRUST

1138 & 1179 HEC (3237)**P Roux****03 March 2017****(028) 313 8900****Hermanus Administration**

EXECUTIVE SUMMARY

To consider an application received from Messrs WRAP Consulting on behalf of the property owners, The Unit 121 Leisure Bay Trust, on Erven 1138 and 1179, Hermanus (Eastcliff) for the following:

- consolidation in terms of Section 2.3 of the Overstrand Municipality Zoning Scheme Regulations in order to create one (1) erf of approximately 1784m² in extent.
- consent use in terms of Section 2.2 of the Overstrand Municipality Zoning Scheme Regulations in order to establish a guest house on the consolidated property.
- departure in terms of Section 15 of Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) in order to relax the eastern lateral building line with Erf 1139 from 2m to 0m to accommodate a proposed new second dwelling unit, and to relax the western lateral building line with Erf 1180 from 2m to 0m to accommodate a pergola.

The item served before the Executive Mayor on the 22 February 2017. The item was referred back for further discussions. The referral was due to an unclear site plan which did not contain the relevant detail and therefore a detailed site plan was requested for submission for further discussions.

RESOLVED:

1. that the objections **be noted**;
2. that, in terms of Section 15 of Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for departure in order to relax the eastern lateral building line with Erf 1139 from 2m to 0m to accommodate a proposed new second dwelling, **not be approved**;
3. that, in terms of Section 2.2 of the Overstrand Municipality Zoning Scheme Regulations of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a consent use on Erven 1138 and 1179, Hermanus to operate a five (5) bedroom guest house on the property concerned, **be partially approved**;

4. that, in terms of Section 2.3 of the Overstrand Municipality Zoning Scheme the application for the consolidation of Erven 1138 and 1179, Hermanus in order to create one (1) erf approximately 1784m² in extent, **be approved**;
5. that, in terms of Section 2.2 of the Overstrand Municipality Zoning Scheme the application for consent use in order to establish a guest house on the consolidated property, **be approved**;
6. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application to relax the western lateral building line with Erf 1180 from 2m to 0m to accommodate a gazebo, **be approved**;
7. that the recommendation in 3., 4., 5. and 6. above be subject to the following conditions:
 - (a) that the facility be utilized as a **guest house only**;
 - (b) that a maximum of **three (3) bedrooms** to be let in the main dwelling, be permitted;
 - (c) that the owner/manager resides on the premises;
 - (d) that the guest house is utilized as such - no self-catering will be permitted;
 - (e) that no facilities (bar/restaurant or any other) be provided for non-residents of the accommodation establishment and that these facilities only be used by bona-fide guests of the establishment;
 - (f) that the selling or serving of liquor on the premises will be subject to the applicant obtaining the necessary liquor licence;
 - (g) that a minimum of one (1) permanently demarcated parking bay per guest room (as indicated on the Site Plan submitted) and two (2) for the owner/manager be provided within the erf boundaries;
 - (h) that commercial rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (i) that the accommodation facility complies with Health and Safety Legislation and that this approval will be subject to regular inspections by the Fire Control Co-ordinator and the Health Inspector;
 - (j) that a single non-illuminated sign that complies with the Municipal By-Law on signage, may be displayed on the premises;

- (k) that guests of the guest house and delivery trucks will only be allowed to obtain vehicular access onto the new consolidated erf from Main Road;
- (l) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
- (m) that building plans must be submitted to the Building Department for approval;
- (n) that all signage and advertisement are indicative that the main access to the guest house and office area is obtained from Main Road;
- (o) that no on-street parking for guesthouse residents is permitted in Mitchell Street;
- (p) that the garage is converted back to a garage and that a separate application is submitted for the extension of the garage over the building line within sixty (60) days of the notice of decision of this application;
- (q) that the cottage is converted back to a cottage as indicated on the approved building plans within sixty (60) days of the notice of decision of this application;
- (r) that deliveries to the guest house can only be made with a 3500kg truck;
- (s) that all the conditions in the Services Report be complied with;
- (t) that all conditions complied by the Fire Department is adhered to;
- (u) that a Site Plan be submitted showing the three (3) rooms that will be utilised for guest rooms, for record purposes;
- (v) that it is the responsibility of the owner/applicant to register the approved consolidation within five (5) years from the date of approval;
- (w) that the consolidation be registered before the rights to operate the three bedroom guest house can be acted upon;
- (x) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
- (y) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.

8. that the applicant be notified of his/her 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 :	P ROUX
TARGET DATE FOR IMPLEMENTATION :	14 JUNE 2017
TARGET DATE TO INFORM APPLICANT :	14 JUNE 2017
TARGET DATE TO INFORM OBJECTORS :	14 JUNE 2017

18.

TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS CONSIDERED IN TERMS OF DELEGATED AUTHORITY : MARCH 2017 – APRIL 2017

15/3/11

R van Antwerp
20 April 2017

(028) 313 8039

Hermanus Administration

EXECUTIVE SUMMARY

To report on applications disposed of by the Senior Manager : Town- & Spatial Planning in terms of the Land Use Planning Ordinance (LUPO) and Authority Officer in terms of the Spatial Land Use Management Act (SPLUMA) during the period from 16 March 2017 – 20 April 2017 as well as the applications that served before the Municipal Planning Tribunal on 29 March 2017:

RESOLVED:

that cognisance be taken of the town planning applications disposed of by the Senior Manager : Town- & Spatial Planning in terms of LUPO and the Authorised Official in terms of SPLUMA for the period 16 March 2017 – 20 April 2017, as well as the applications that served before the Municipal Planning Tribunal on 29 March 2017:

Land Use Planning Ordinance (LUPO) Approval

1.	Erf 481, De Kelders	19 April 2017
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Spatial Land Use Management Act (SPLUMA) Approvals

1.	Erf 2452, Onrustrivier	31 March 2017
2.	Erf 5802, Hermanus	31 March 2017
3.	Erf 1824, Sandbaai	31 March 2017
4.	Erf 1012, Sandbaai	31 March 2017
5.	Erf 4023, Onrustrivier	31 March 2017
6.	Erf 311, Pearly Beach	31 March 2017
7.	Erf 4548, Hermanus	31 March 2017
8.	Erf 4008, Kleinmond	31 March 2017
9.	Erf 4773, Kleinmond	7 April 2017

Municipal Planning Tribunal

1.	Erf 678, Sandbaai	29 March 2017
2.	Erf 631, Pearly Beach	29 March 2017
3.	Portion 143 of the farm Baardscheerdersbosch No. 213	29 March 2017
4.	Erf 11094, Hermanus	29 March 2017

RESPONSIBLE OFFICIAL : R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION : 12 JUNE 2017

TARGET DATE TO INFORM APPLICANT : N/A

TARGET DATE TO INFORM OBJECTOR : N/A

19.

HERMANUS: TRANSFER OF UNREGISTERED ERF 11456 (A PORTION OF ERF 243) HERMANUS, ±838M² IN EXTENT, FOR RESIDENTIAL PURPOSES

7/2/3/2

M Erasmus
11 April 2017

(028) 316 - 3724

Hermanus Administration

EXECUTIVE SUMMARY

To obtain final approval for the transfer of unregistered Erf 11456 (a portion of Erf 243) Hermanus, ±838m² in extent, for residential purposes, to TL & EH Havenga.

RECOMMENDATION TO THE COUNCIL:

1. that the transfer of unregistered Erf 11456 (a portion of Erf 243) Hermanus, ±838m² in extent, for residential purposes to TL & EH Havenga for the amount of R747,000.00 (SEVEN HUNDRED AND FORTY SEVEN THOUSAND RAND) (VAT excluded), **be approved**;
2. that the Municipal Manager be authorised to sign all documents relating to the transfer of unregistered Erf 11456 (a portion of Erf 243) Hermanus to TL & EH Havenga;
3. that cognisance be taken of the fact that the subject portion of Municipal property is **not required** for the provision of the minimum level 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; and
4. that TL & EH Havenga be responsible for all the costs pertaining to the advertisement of the transfer and all costs involved with the registration of the transfer in the Deeds Office and other costs as may be stipulated.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

30 JUNE 2017

TARGET DATE TO INFORM APPLICANT :

N/A

20.

ERF 710, 10 MAGNOLIA AVENUE, HERMANUS, OVERSTRAND MUNICIPAL AREA : REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967) AND REZONING : MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF TURNOVER TRADING 324 (PTY) LTD

710 HNC (2523)

H van der Stoep

6 April 2017

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 18 March 2014 from Messrs Plan Active Town & Regional Planners on behalf of Turnover Trading 324 (Pty) Ltd for the following:

- ❖ rezoning of Erf 710, Hermanus from General Residential Zone to Local Business Zone in order to conduct a business on the property concerned, and
- ❖ removal of restrictive title conditions C.(a), (b), (c), (d) and (e) contained in Title Deed T69564/2013 applicable to Erf 710, Hermanus in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967) to enable the owner to construct an office block on the property.

RESOLVED:

1. that it be noted that the removal of restrictive title conditions C.(a), (b), (c), (d) and (e) contained in Title Deed T69564/2013 in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967) applicable to Erf 710, Hermanus **have been approved** by the Western Cape Government : Environmental Affairs and Development Planning;
2. that, in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for the rezoning of Erf 710, Hermanus from General Residential Zone to Local Business Zone (Business 3) in order to conduct a business on the property concerned, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the owner/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 the land use of Erf 710 be restricted to office use only;
 - (d) that parking be provided as per the parking layout plan DRG.NO.1.2.1.C dated 14 July 2015 within three (3) months of the approval;

- (e) that the occupation certificate only be issued once proof of the approved notarial tie from the Registrar of Deeds of Erven 710, 711 and 712 have been submitted;
 - (f) 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;
 - (g) that future extension of the existing building be prohibited, except if proof of additional parking can be provided;
 - (h) that commercial rates and service tariffs as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget; and
 - (i) that all the conditions in the Services Report be complied with.
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 decision.

RESPONSIBLE OFFICIAL :	H VAN DER STOEP
TARGET DATE FOR IMPLEMENTATION :	14 JUNE 2017
TARGET DATE TO INFORM APPLICANT :	14 JUNE 2017
TARGET DATE TO INFORM OBJECTOR :	N/A

21.

HERMANUS: PARTIAL AMENDMENT AND RATIFICATION OF RESOLUTION DATED 22 APRIL 2008 FOR THE EXCHANGE OF A PORTION OF MUNICIPAL PROPERTY (ERF 572 HERMANUS)

7/2/3/2/

A Kotze

(028) 316 - 3724

Hermanus Administration

10 April 2017

EXECUTIVE SUMMARY

The purpose of this report is to:

- (a) To obtain approval for the partial amendment of a Resolution dated 22 April 2008 for the exchange of a portion of Erf 572 Hermanus (municipal owned) for a portion of Erf 569 Hermanus (previously owned by Mr L van Zyl). The amendment will entail the substitution of the name of the previous owner of Erf 569 Hermanus with the name of the new owner of the said erf, Peter Anthony Sham.
- (b) To ratify the exchange of a portion of Erf 572 Hermanus (municipal owned) for a portion of privately owned Erf 569 Hermanus and the subsequent conditions imposed in the Resolution dated 22 April 2008.

RECOMMENDATION TO THE COUNCIL:

1. that the exchange of a portion of Erf 572 Hermanus, $\pm 44.2\text{m}^2$ in extent, for a portion equal in size of Erf 569 Hermanus owned by Peter Anthony Sham for the purpose of widening the sidewalk free of any compensation by any party to the other in terms of Council's Asset Management Policy of 2004 and subsequent Administration of Immovable Property Policy of 2015, **be approved**; and
2. that the following conditions 2 and 3 of the Resolution dated 22 April 2008 be ratified and **approved**:
 - (a) that, since the transaction is to the advantage of both parties, **all costs** pertaining the transaction, e.g. survey, advertisement, valuation, subdivision, rezoning, etc. be equally shared and borne by the municipality and the applicant;
 - (b) that cognisance be taken of the fact that the municipal property herewith exchanged is **not required** for municipal purposes in terms of the provisions of paragraph 1.3.2 of Council's Asset Management Policy and Section 14 of the Local Government : Municipal Finance Management Act, 2003 (Act 56 of 2003);

RESPONSIBLE OFFICIAL :	A KOTZE
TARGET DATE FOR IMPLEMENTATION :	PROCESS
TARGET DATE TO INFORM APPLICANT :	14 JUNE 2017
TARGET DATE TO INFORM OBJECTOR :	N/A

22.

UPDATE ON THE PROGRESS OF AFFORDABLE HOUSING DEVELOPMENTS IN OVERSTRAND

17/5/5/2

A Jacobs

(028) 313 5075

Hermanus Administration

24 April 2017

EXECUTIVE SUMMARY

The purpose of the report is to provide Council with an update regarding the progress on the affordable housing developments in Overstrand. For clarification purposes, Council should also note that Affordable Housing is categorised as those opportunities available to households earning between R3 501.00 and R25 000.00 per month. Households earning up to R15 000.00 are also eligible for a subsidy in terms of the Finance Linked Individual Subsidy Programme (FLISP), given that they qualify in terms of the criteria and households earning up to R25 000.00 must also qualify for a full bond from the banks without having to pay any deposits.

RECOMMENDATION TO THE COUNCIL:

that the availability and progress on the Affordable Housing Developments in the Overstrand, **be noted.**

RESPONSIBLE OFFICIAL :**A JACOBS****TARGET DATE FOR IMPLEMENTATION :****28 JUNE 2017****TARGET DATE TO INFORM APPLICANT:****N/A****TARGET DATE TO INFORM OBJECTOR:****N/A**

23.

HERMANUS: TRANSFER OF UNREGISTERED ERF 12199, HERMANUS, ±2,4818 HA IN EXTENT, FOR INDUSTRIAL PURPOSES

7/2/3/2

M Erasmus & R Kuchar
11 April 2017

(028) 316 - 3724

Hermanus Administration

EXECUTIVE SUMMARY

To obtain final approval for the transfer of unregistered Erf 12199, Hermanus, ±2,4818 ha in extent, for industrial purposes, to Massbuild (Pty) Ltd t/a Builders Express.

Further to make a recommendation to Council to make funds available for the relocation of the tennis and squash courts and clubhouse from the proceeds received from above transfer of Erf 12199, Hermanus.

RECOMMENDATION TO THE COUNCIL:

1. that the transfer of unregistered Erf 12199, Hermanus, ±4,818 ha in extent, for industrial purposes to Massbuild (Pty) Ltd t/a Builders Express for the amount of R22,800,000.00 (TWENTY TWO MILLION EIGHT HUNDRED THOUSAND RAND ALONE) (VAT included), **be approved**;
2. that Massbuild (Pty) Ltd t/a Builders Express at their cost register a public access servitude over the unregistered Erf 12199, Hermanus in co-operation with the Town Planning Department, which servitude will link up with the service servitude and with Mussel Road;
3. that Massbuild (Pty) Ltd t/a Builders Express at their cost register a service servitude east of the right-of-way servitude (the existing Mussel Road) for the 11kV cable transgressing the property and access to the Main Road;
4. that cognisance be taken of the fact that the subject portion of Municipal property is **not required** for the provision of the minimum level 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 Massbuild (Pty) Ltd t/a Builders Express be responsible for all the costs pertaining to the advertisement of the transfer and all costs involved with the registration of the transfer in the Deeds Office, including the registering of the Certificate of Registered Title and Certificate of Consolidated title and subsequent transfer and other costs as may be stipulated;

6. that a grant-in-aid to the amount of R7 613 660 (SEVEN MILLION SIX HUNDRED AND THIRTEEN THOUSAND SIX HUNDRED AND SIXTY RAND) be made available to Hermanus Sport Club, to be included on a subsequent budget or mid-year review adjustments budget, subject to the receipt of the proceeds of the sale of unregistered erf 12199 into the Municipality's bank account, be paid to the Hermanus Sport Committee;
7. that, in the instance of payment in respect of the amount in resolution 6 above be made beyond 2017, the amount be escalated with yearly CPI for another year;
8. that payment to the Hermanus Sport Committee be further subject to all conditions previously set by Council at its meeting held on 29 February 2012; and
9. that the payment be made in tranches as agreed to between the Municipality and the Hermanus Sport Committee.

RESPONSIBLE OFFICIAL :

M ERASMUS

TARGET DATE FOR IMPLEMENTATION :

30 JUNE 2017

TARGET DATE TO INFORM APPLICANT :

N/A

The meeting adjourned at 10:40

DATE

R SMITH – EXECUTIVE MAYOR