



**ORDINARY MEETING OF THE MAYORAL  
COMMITTEE**

**GEWONE VERGADERING VAN DIE  
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI  
KASODOLOPHU**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 27 NOVEMBER / NOVEMBA 2019**

**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 27 NOVEMBER 2019, AT 10:00**

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**PRESENT:** Councillors were present as per attached attendance register.

**OFFICIALS PRESENT:** Ms D Arrison, Acting Municipal Manager  
Ms S Reyneke-Naudé, Director : Finance  
Mr R Williams, Director : Community Services  
Mr N Michaels, Director : Protection Services  
Mr S Müller, Director : Infrastructure & Planning  
Mr R Kuchar, Senior Manager : Town Planning  
Ms E Hooneberg, Senior Manager : Income  
Ms H van Tonder, Manager : Council Support  
Services  
Mr B King, Senior Manager : Financial Services  
Mr R Fraser, Chief : Traffic/Licences  
Mr R Marinus, Chief Administrator : Contracts,  
Tenders & Projects  
Ms N Zweni, Manager : Communication  
Ms S Swart: Administrative Officer : Council  
Support Services  
ICT  
Ms M de Villiers : Mayoral Committee Secretary  
Ms D Laing, Relief Clerk : Grade 2

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**MINUTES/.....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING  
27 NOVEMBER 2019

ALDERMAN/COUNCILLORS	SIGNATURE
AFRICA, F	
BOTHA, D	
BRICE, KD	
COETSEE, A	
COETZEE, DP	
COHEN, G	
DE CONING, CA	
GILLION, E	
KALOLO, SV	
KOMANI, AS	
KRIGE, F	
NQINATA, NNT	
MACOTHA, VC	
MAY, C	
MOLEFE, B	
MORGAN, H	
MSWELI, X	
NTSABO, L	
NUTT, R	
ORBAN, J	
PUNGUPUNGU, V	
RESANDT, C	
SAPEPA, NM	
TAFU-NWONKWO, CC	
TEBELE, S	

**1. OPENING**

Cllr A Komani opened with prayer. The Acting Municipal Manager, Ms D Arrison, read the notice convening the meeting.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

None

**3. CONFIRMATION OF MINUTES**

- 3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 30 October 2019 at 10:00**

**RESOLVED:**

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 30 October 2019 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 OCTOBER 2019**

8/2/2

C Le Roux

Deputy Director: Finance & SCM

06 November 2019

(028) 313 8107

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**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council of all deviations from the Supply Chain Management Policy, approved by the delegated authority in terms of Paragraph 36 of the Supply Chain Management Policy, as well as approvals in terms of Paragraph 16(1)(b) and 17(1)(c) for October 2019.

**RECOMMENDATION TO THE COUNCIL:**

1. that the deviations from the procurement processes, approved in terms of the delegated authority for October 2019, **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 October 2019, **be noted**.

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

6.

**CONTRACT SC 1890/2018: BULK WATER SERVICES OPERATION AND MAINTENANCE: REPORT ON SOCIAL RESPONSIBILITY CONTRIBUTIONS BY VEOLIA WATER SOLUTIONS & TECHNOLOGIES SOUTH AFRICA (PTY) LTD**

**8/3/1/SC1890/2018****H Blignaut****Deputy Director: Engineering Planning****11 November 2019****(028) 313 5047**

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**EXECUTIVE SUMMARY**

The purpose of this report is for Council to take cognisance of subcontracting arrangements and social responsibility contributions made to date by the successful bidder on Contract SC 1890/2018, Bulk Water Services Operation and Maintenance, following a request to this effect by Council at the Council meeting of 30 October 2019.

**RECOMMENDATION TO THE COUNCIL:**

that cognisance be taken of the subcontracting to EME's and QSE's to date, as well as social responsibility contributions made to date in the Overstrand area by Veolia Water Solutions and Technologies South Africa (Pty) Ltd in execution of Contract SC 1890/2018, Bulk Water Services Operation and Maintenance, for Overstrand Municipality.

**RESPONSIBLE OFFICIAL:****H BLIGNAUT****TARGET DATE FOR IMPLEMENTATION :****N/A****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

7.  
**ADJUSTMENTS BUDGET 2019/2020 (NATIONAL AND PROVINCIAL ADJUSTED ESTIMATES, 2019)**

5/1/1/21-2019/2020

BA King

Senior Manager: Financial Services

21 November 2019

(028) 313 8154

**EXECUTIVE SUMMARY**

Report prepared in terms of section 28(2)(b) of the Local Government: Municipal Finance Management Act, 2003 (MFMA) for the appropriation of revenue in terms of the National and Provincial Adjusted Estimates, 2019.

**RECOMMENDATION TO THE COUNCIL:**

1. that, in terms of section 28(2)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), the Adjustments Budget (National and Provincial Adjusted Estimates, 2019) for 2019/2020 **be approved** as set out in the following schedules, subject to the publication of the Western Cape Adjusted Estimates, 2019 in the Provincial Gazette, indicated publication date 26 November 2019, prior to Council consideration of this item:

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

2. that the following schedules **be noted**:

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

**RESPONSIBLE OFFICIAL :**

**BA KING**

**TARGET DATE FOR IMPLEMENTATION :**

**2 DECEMBER 2019**

**8.  
REVISED SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)  
FOR 2019/20**

**9/1/2/5**

**R Louw**

**18 November 2019**

**Senior Manager: Strategic Services**

**(028) 313 8071**

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**EXECUTIVE SUMMARY**

The purpose of this report is to submit a revised Service Delivery and Budget Implementation Plan (SDBIP) for 2019/20 to Council for approval.

**RECOMMENDATION TO THE COUNCIL:**

1. that the revised SDBIP for 2019/20 **be approved**;
2. that the amendments to the Top Layer SDBIP for 2019/20 **be approved**; and
3. that the revised SDBIP for 2019/20 **be made public**.

**RESPONSIBLE OFFICIAL :**

**RG LOUW**

**TARGET DATE FOR IMPLEMENTATION :**

**2 DECEMBER 2019**



**PORTFOLIO COMMITTEE :**

**FINANCE**

**Chairperson :**

**Cllr R de Coning**

**Committee Members :**

**Cllrs L Ntsabo, R Nutt,  
S Tebele, X Msweli and B Molefe**

**PORTEFEULJEKOMITEE :**

**FINANSIES**

**Voorsitter :**

**Rdl R de Coning**

**Komiteelede :**

**Rdle L Ntsabo, R Nutt,  
S Tebele, X Msweli and B Molefe**

1.  
WRITING OFF OF IRRECOVERABLE DEBT

5/17/1

E Hooneberg  
29 October 2019

Senior Manager: Income

(028) 313 8149

**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 R370 865.09 as listed below, be written off as bad debt:

A	First time write off – Indigent Households	R 20 890.36
B	Indigent water leakages irrecoverable	R279 851.31
C	Final accounts equal or less than R1,500.00	R 1 110.21
D	Other irrecoverable Debt	<u>R 69 013.21</u>
	TOTAL	<u>R370 865.09</u>

**RESPONSIBLE OFFICIAL :**

**EM HOONEBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**08 DECEMBER 2019**

**PORTFOLIO COMMITTEE :  
MANAGEMENT SERVICES**

**Chairperson :**

**Cllr A Komani**

**Committee Members :**

**Ald M Sapepa, Cllrs R Nutt,  
H Morgan & N Nqinata**

**PORTEFEULJEKOMITEE :  
BESTUURSDIENSTE**

**Voorsitter :**

**Rdl A Komani**

**Komiteelede :**

**Rdh M Sapepa, Rdle R Nutt,  
H Morgan & N Nqinata**

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

**PORTFOLIO COMMITTEE :**

**PROTECTION SERVICES**

**Chairperson :**

**Cllr F Africa**

**Committee Members :**

**Cllrs C Resandt, F Krige,  
V Macotha & C Tafo-Nwonkwo**

**PORTEFEULJEKOMITEE :**

**BESKERMINGSDIENSTE**

**Voorsitter :**

**Rdl F Africa**

**Komiteelede :**

**Rdle C Resandt, F Krige,  
V Macotha & C Tafo-Nwonkwo**

1.  
**QUARTERLY MONITORING REPORT FOR THE PERIOD JULY TO SEPTEMBER  
2019: DIRECTORATE: PROTECTION SERVICES**

5/20

**N J Michaels**

**Director: Protection Services**

**25 October 2019**

**(028) 313 8054**

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**EXECUTIVE SUMMARY**

To report on the functioning and activities of the Directorate: Protection Services for the period July to September 2019.

**RESOLVED:**

that the Quarterly Monitoring Report of the functioning and activities of the Directorate: Protection Services for the period July to September 2019, **be noted**.

**RESPONSIBLE OFFICIAL :**

**N J MICHAELS**

**TARGET DATE FOR IMPLEMENTATION :**

**01 DECEMBER 2019**

2.

**OPERATIONAL PLAN: HOLIDAY SEASON 2019/2020**

2/1

**N J Michaels****Director: Protection Services****25 October 2019****(028) 313 8054**

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**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council of the operational plan to be implemented in order to ensure that the Directorate: Protection Services effectively manages and maintains safety and security of public facilities and public roads by means of traffic, fire and law enforcement activities during the period 1 December 2019 to 25 January 2020 (Festive Season).

**RESOLVED:**

that the content of the Operational Plan: Holiday Season 2019/2020 which is to be executed by the Directorate: Protection Services, **be noted**.

**RESPONSIBLE OFFICIAL :****N MICHAELS****TARGET DATE FOR IMPLEMENTATION :****01 DECEMBER 2019**

**PORTFOLIO COMMITTEE :**  
**ECONOMIC DEVELOPMENT & TOURISM**

**Chairperson :**

**Cllr K Brice**

**Committee Members :**

**Cllrs C Resandt, C May,  
V Macotha & S Kalolo**

**PORTEFEULJESKOMITEE :**  
**EKONOMIESE ONTWIKKELING & TOERISME**

**Voorsitter :**

**Rdl K Brice**

**Komiteelede :**

**Rdle C Resandt, C May,  
V Macotha & S Kalolo**



1.  
**ECONOMIC & SOCIAL DEVELOPMENT AND TOURISM QUARTERLY REPORT:  
JULY- SEPTEMBER 2019**

9/1/2/2

**S Madikane Director: Economic & Social Development and Tourism**

**28 October 2019**

**(028) 313 8066**

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**EXECUTIVE SUMMARY**

The purpose of this report is to provide an outline of activities and initiatives conducted by the Directorate to address socio economic challenges and promote economic and social development including the promotion and marketing of the destination.

**RESOLVED:**

that the 1st quarter report (July-September 2019) of the Directorate: Economic & Social Development and Tourism be noted.

**RESPONSIBLE OFFICIAL :**

**X KOSI  
F LLOYD  
G SMIT**

**TARGET DATE FOR IMPLEMENTATION :**

**IMMEDIATELY**

**PORTFOLIO COMMITTEE :**

**COMMUNITY SERVICES**

**Chairperson :**

**Cllr G Cohen**

**Committee Members :**

**Cllrs J Orban, C May,  
V Pungupungu & S Kalolo**

**PORTEFEULJEKOMITEE :**

**GEMEENSKAPSDIENSTE**

**Voorsitter :**

**Rdl G Cohen**

**Komiteelede :**

**Rdle J Orban, C May,  
V Pungupungu & S Kalolo**

1.  
**OPERATIONAL PLAN: HOLIDAY SEASON: 2019/2020**

2/1

RF Williams  
24 October 2019

Director: Community Services

(028) 313 8156

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**EXECUTIVE SUMMARY**

The purpose of the report is to inform Council of the Operational Plan to be implemented in order to ensure that the Directorate: Community Services effectively manages and maintains bathing beaches, caravan parks, camping sites and other public facilities that will be visited and utilised by large numbers of visitors during the period from 1 December 2019 until 12 January 2020.

**RESOLVED:**

that the content of the Operational Plan: Holiday Season: 2019/2020, which is to be executed by the Directorate: Community Services, **be noted**.

**RESPONSIBLE OFFICIAL :**

**AREA AND OPERATIONAL  
MANAGERS AND MANAGER:  
CORPORATE PROJECTS**

**TARGET DATE FOR IMPLEMENTATION :**

**1 DECEMBER 2019**

## 2.

**BENEFICIARIES: 378 HOUSING PROJECT HAWSTON**

17/5/4/1

FW Frans

25 October 2019

Manager: Housing Administration

(028) 313 8144

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**EXECUTIVE SUMMARY**

This report is to inform Council of the progress of additional potential beneficiaries for the Hawston affordable housing project and the status with regard to the approval of potential beneficiaries.

**RESOLVED:**

1. that the lists of additional potential beneficiaries for the housing project in Hawston **be approved**;
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; and
  - (b) that the potential beneficiaries that do not respond to the first notice (30 days) be given a final written notice of 7 days
3. that, in the event of any applicants not responding within the mentioned period of 7 days, the available housing opportunities be given to identified additional beneficiaries (replacements).

**RESPONSIBLE OFFICIAL :****FW FRANS****TARGET DATE FOR IMPLEMENTATION :****01 DECEMBER 2019**

**PORTFOLIO COMMITTEE :  
INFRASTRUCTURE & PLANNING**

**Chairperson :**

**Cllr E Gillion**

**Committee Members :**

**Cllrs D Botha, J Orban,  
S Tebele & V Pungupungu**

**PORTEFEULJEKOMITEE :  
INFRASTRUKTUUR & BEPLANNING**

**Voorsitter :**

**Rdl E Gillion**

**Komiteelede :**

**Rdle D Botha, J Orban,  
S Tebele & V Pungupungu**

1.  
**TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS  
 CONSIDERED IN TERMS OF DELEGATED AUTHORITY: SEPTEMBER 2019 -  
 OCTOBER 2019**

15/3/11

R Kuchar

Senior Manager: Town & Spatial Planning

14 October 2019

(028) 313 8900

**EXECUTIVE SUMMARY**

To report on applications disposed of by the Authorised Official in terms of the Spatial Land Use Management Act (SPLUMA) during the period from 17 September 2019 – 14 October 2019.

**RESOLVED:**

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 17 September 2019 – 14 October 2019:

Spatial Land Use Management Act (SPLUMA) Approvals

- |     |  |                   |
|-----|--|-------------------|
| 1.  | Erven 370 and 371, Jikeleza Street, Zwelihle                         | 19 September 2019 |
| 2.  | Portion 41 of the Farm Baardskeerders Bos No. 213                    | 20 September 2019 |
| 3.  | Erven 1328 and 1329, 41 and 31 Kritang Crescent, Vermont             | 26 September 2019 |
| 4.  | Erf 4290, 295 Fourth Street, Voëlklip, Hermanus                      | 1 October 2019    |
| 5.  | Erf 8168, 104 Main Road, Kleinmond                                   | 1 October 2019    |
| 6.  | Erf 582, 12 Plein Street, Westcliff, Hermanus                        | 1 October 2019    |
| 7.  | Erf 5673, 288 Sixth Street, Voëlklip, Hermanus                       | 2 October 2019    |
| 8.  | Erven 5261 and 6391, 25 Cambedo and 28 Boekenhout Avenues, Kleinmond | 3 October 2019    |
| 9.  | Erf 6221, 99 Eleventh Avenue, Kleinmond                              | 9 October 2019    |
| 10. | Erf 195, 17 Park Road, Fisherhaven                                   | 9 October 2019    |
| 11. | Erf 555, 65 Sandloper Lane, Vermont                                  | 9 October 2019    |
| 12. | Erf 477, Church Street, Hawston                                      | 9 October 2019    |
| 13. | Erf 2954, 2 Disa Street, Onrustrivier                                | 9 October 2019    |
| 14. | Erf 2256, 86 Roos Street, Onrustrivier                               | 11 October 2019   |

Municipal Planning Tribunal

- |    |                                       |                |
|----|---------------------------------------|----------------|
| 1. | Erf 1926, Saffron Crescent, Vermont   | 1 October 2019 |
| 2. | Erf 3293, 17 Pearl Drive, Betty's Bay | 1 October 2019 |

**RESPONSIBLE OFFICIAL :**

**R VAN ANTWERP**

**TARGET DATE FOR IMPLEMENTATION :**

**11 DECEMBER 2019**

2.

**ERF 817, E90 ESSEX ROAD, HAWSTON, OVERSTRAND MUNICIPAL AREA:  
PROPOSED CONSENT USE : JJ MANUEL**

**817 HHW (2974)****R Kuchar****20 October 2019****Senior Manager: Town & Spatial Planning****(028) 313 8900**

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**EXECUTIVE SUMMARY**

Application has been received on 8 July 2015 from J Manual on Erf 817, Hawston for a departure from the relevant Scheme Regulations in order to utilize a portion of the existing dwelling as a house shop.

**RESOLVED:**

1. that, in terms of Section 2.2 of the Overstrand Municipal Zoning Scheme, the application for a consent use on Erf 817, Hawston in order to utilize a portion of the dwelling as a house shop, **be approved**, subject to the following conditions:
  - (a) that only a portion of the dwelling, not exceeding 25% of all the buildings on the property or 30m<sup>2</sup>, whichever is the greatest, may be utilized as a house shop;
  - (b) that no more than one vehicle, not exceeding 3500kg gross weight, may be utilized to make deliveries at the house shop at any one time;
  - (c) that adequate provision be made to manage the behaviour of patrons (both inside and outside the building) and for security and protection of surrounding properties, patrons, vehicles, etc. to the satisfaction of the Senior Manager : Town and Spatial Planning;
  - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
  - (e) that the house shop may not be used for the purposes of noxious trade, risk activity, sale of alcoholic beverages, place of entertainment or gambling purposes;
  - (f) that no products, goods or supplies connected to the house shop may be stored on the property outside the building;
  - (g) that a single non-illuminated sign, that complies with the Municipal By-Law on Signage, may be displayed on the premises;
  - (h) that the trading hours of business only be between:



Monday to Friday: 08:00 to 17:00

Saturday: 08:00 to 13:00, and that should the hours of business be extended in terms of the proposed House Shop Policy, such hours of operation will be applicable.

- (i) that the number of people employed be restricted to three;
- (j) that the owner/manager resides on the premises;
- (k) that a Certificate of Acceptability from the Health Section of the Overberg District Council and Fire Prevention Certificate be obtained from the Municipal Fire Department;
- (l) that the approval is not transferable, and the house shop area may not be sublet to any other person by the applicant;
- (m) that the conditions in the Engineering Report be adhered to;
- (n) that the Overstrand Municipality retains the right to enforce any relevant legislation, regulations, law and order regarding these premises, the applicant and the departure in land use;
- (o) that this consent use approval is valid for a maximum period of five years, after which it will expire if application is not made for the extension of the validity period within the five year period;
- (p) that on-site parking be provided to the satisfaction of the Senior Manager: Town and Spatial Planning;
- (q) that Council reserves the right to rescind the approval without payment of compensation, should any justified objection be received to the manner in which the house shop is functioning or should the operation of the house shop be found to be detrimental to the peacefulness and amenity of the surrounding area;
- (r) 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;
- (s) that application is made for a Business Licence at the Overstrand Municipality prior to operation of the house shop;
- (t) that should any building changes be required due to reaching compliance with the above-mentioned conditions, building plans should be submitted to the Building Department for approval;
- (u) that no accumulation of refuse occur on the premises; and

- (v) that there be no trading in flammable liquids or liquid petroleum gas products on the premises.
2. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

**RESPONSIBLE OFFICIAL :**

**H OLIVIER**

**TARGET DATE FOR IMPLEMENTATION :**

**11 DECEMBER 2019**

**TARGET DATE TO INFORM APPLICANT :**

**11 DECEMBER 2019**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

## 3.

**ERF 1598, FERNDALE STREET, HAWSTON, OVERSTRAND MUNICIPAL AREA:  
PROPOSED CONSENT USE: LM HENN (ELBRINK)**

1598 HHW (2961)

R Kuchar

20 October 2019

Senior Manager: Town &amp; Spatial Planning

(028) 313 8900

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**EXECUTIVE SUMMARY**

Application has been received on 26 June 2015 from LM Henn (Elbrink) on Erf 1598, Hawston for a consent use in terms of the Overstrand Municipal Zoning Scheme Regulations in order to utilize a portion of the existing dwelling as a house shop.

**RESOLVED:**

1. that, in terms of Section 2.2 of the Overstrand Municipal Zoning Scheme, the application for a consent use on Erf 1598, Hawston in order to utilize a portion of the dwelling as a house shop, **be approved**, subject to the following conditions:
  - (a) that only a portion of the dwelling, not exceeding 25% of all the buildings on the property or 30m<sup>2</sup>, whichever is the greatest, may be utilized as a house shop;
  - (b) that no more than one (1) vehicle, not exceeding 3500kg gross weight, may be utilized to make deliveries at the house shop at any one time;
  - (c) that adequate provision be made to manage the behaviour of patrons (both inside and outside the building) and for security and protection of surrounding properties, patrons, vehicles, etc. to the satisfaction of the Senior Manager : Town- and Spatial Planning;
  - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
  - (e) that the house shop may not be used for the purposes of noxious trade, risk activity, sale of alcoholic beverages, place of entertainment or gambling purposes;
  - (f) that no products, goods or supplies connected to the house shop may be stored on the property outside the building;
  - (g) that a single non-illuminated sign, that complies with the Municipal By-Law on Signage, may be displayed on the premises;
  - (h) that the trading hours of business only be between:

Monday to Friday: 08:00 to 17:00

Saturday: 08:00 to 13:00, and that should the hours of business be extended in terms of the proposed House Shop Policy, such hours of operation will be applicable.

- (i) that the number of people employed be restricted to three (3);
- (j) that the owner/manager resides on the premises;
- (k) that a Certificate of Acceptability from the Health Section of the Overberg District Council and Fire Prevention Certificate be obtained from the Municipal Fire Department;
- (l) that the approval is not transferable, and the house shop area may not be sublet to any other person by the applicant;
- (m) that the conditions in the Engineering Report be adhered to;
- (n) that the Overstrand Municipality retains the right to enforce any relevant legislation, regulations, law and order regarding these premises, the applicant and the departure in land use;
- (o) that this consent use approval is valid for a maximum period of five years, after which it will expire if application is not made for the extension of the validity period within the five year period;
- (p) that on-site parking be provided to the satisfaction of the Senior Manager: Town and Spatial Planning;
- (q) that Council reserves the right to rescind the approval without payment of compensation, should any justified objection be received to the manner in which the house shop is functioning or should the operation of the house shop be found to be detrimental to the peacefulness and amenity of the surrounding area;
- (r) 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;
- (s) that application is made for a Business Licence at the Overstrand Municipality prior to operation of the house shop;
- (t) that building plans be submitted showing all building changes and partitioning of the house shop in the dwelling to the satisfaction of the Fire Department and Building Department; and
- (u) that no accumulation of refuse occur on the premises.

2. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

**RESPONSIBLE OFFICIAL :**

**H OLIVIER**

**TARGET DATE FOR IMPLEMENTATION :**

**11 DECEMBER 2019**

**TARGET DATE TO INFORM APPLICANT :**

**11 DECEMBER 2019**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

4.  
ERF 2774, 70 CAMBRIDGE ROAD, HAWSTON, OVERSTRAND MUNICIPAL  
AREA: PROPOSED CONSENT USE: C & A MENTO

2774 HHW (3000)

R Kuchar

20 October 2019

Senior Manager: Town & Spatial Planning

(028) 313 8900

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#### EXECUTIVE SUMMARY

Application has been received on 24 July 2015 from C & A Mento on Erf 2774, Hawston for a consent use in terms of the Overstrand Municipal Zoning Scheme Regulations in order to utilize a portion of the existing dwelling as a house shop.

#### RESOLVED:

1. that, in terms of Section 2.2 of the Overstrand Municipal Zoning Scheme, the application for a consent use on Erf 2774, Hawston in order to utilize a portion of the dwelling as a house shop, **be approved**, subject to the following conditions:
  - (a) that only a portion of the dwelling, not exceeding 25% of all the buildings on the property or 30m<sup>2</sup>, whichever is the greatest, may be utilized as a house shop;
  - (b) that no more than one vehicle, not exceeding 3500kg gross weight, may be utilized to make deliveries at the house shop at any one time;
  - (c) that adequate provision be made to manage the behaviour of patrons (both inside and outside the building) and for security and protection of surrounding properties, patrons, vehicles, etc. to the satisfaction of the Senior Manager : Town- and Spatial Planning;
  - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
  - (e) that the house shop may not be used for the purposes of noxious trade, risk activity, sale of alcoholic beverages, place of entertainment or gambling purposes;
  - (f) that no products, goods or supplies connected to the house shop may be stored on the property outside the building;
  - (g) that a single non-illuminated sign, that complies with the Municipal By-Law on Signage, may be displayed on the premises;
  - (h) that the trading hours of business only be between:

Monday to Friday: 08:00 to 17:00

Saturday: 08:00 to 13:00, and that should the hours of business be extended in terms of the proposed House Shop Policy, such hours of operation will be applicable.

- (i) that the number of people employed be restricted to three;
- (j) that the owner/manager resides on the premises;
- (k) that a Certificate of Acceptability from the Health Section of the Overberg District Council and Fire Prevention Certificate be obtained from the Municipal Fire Department;
- (l) that the approval is not transferable, and the house shop area may not be sublet to any other person by the applicant;
- (m) that the conditions in the Engineering Report be adhered to;
- (n) that the Overstrand Municipality retains the right to enforce any relevant legislation, regulations, law and order regarding these premises, the applicant and the departure in land use;
- (o) that this consent use approval is valid for a maximum period of five years, after which it will expire if application is not made for the extension of the validity period within the five year period;
- (p) that on-site parking be provided to the satisfaction of the Senior Manager: Town- and Spatial Planning;
- (q) that Council reserves the right to rescind the approval without payment of compensation, should any justified objection be received to the manner in which the house shop is functioning or should the operation of the house shop be found to be detrimental to the peacefulness and amenity of the surrounding area;
- (r) 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;
- (s) that application is made for a Business Licence at the Overstrand Municipality prior to operation of the house shop;
- (t) that building plans be submitted showing all building changes and partitioning of the house shop in the dwelling to the satisfaction of the Fire Department and Building Control Department;
- (u) that no accumulation of refuse occur on the premises;

- (v) that no sleeping be allowed in the house shop/store; and
  - (w) that the conditions of Telkom 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.

<b>RESPONSIBLE OFFICIAL :</b>	<b>H OLIVIER</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>11 DECEMBER 2019</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>11 DECEMBER 2019</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>



## 5.

**ERF 2888, 6 STAFFORD STREET, HAWSTON, OVERSTRAND MUNICIPAL AREA:  
PROPOSED CONSENT USE: S GREEFF**

2888 HHW (2943)

R Kuchar

20 October 2019

Senior Manager: Town &amp; Spatial Planning

(028) 313 8900

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**EXECUTIVE SUMMARY**

Application has been received on 18 June 2015 from S Greeff on Erf 2888, Hawston for a consent use in terms of the Overstrand Municipal Zoning Scheme Regulations in order to utilize a portion of the existing dwelling as a house shop.

**RESOLVED:**

1. that, in terms of Section 2.2 of the Overstrand Municipal Zoning Scheme, the application for a consent use on Erf 2888, Hawston in order to utilize a portion of the dwelling as a house shop, **be approved**, subject to the following conditions:
  - (a) that only a portion of the dwelling, not exceeding 25% of all the buildings on the property or 30m<sup>2</sup>, whichever is the greatest, may be utilized as a house shop and that the submitted site plan be amended to comply with this requirement;
  - (b) that no more than one vehicle, not exceeding 3500kg gross weight, may be utilized to make deliveries at the house shop at any one time;
  - (c) that adequate provision be made to manage the behaviour of patrons (both inside and outside the building) and for security and protection of surrounding properties, patrons, vehicles, etc. to the satisfaction of the Senior Manager : Town and Spatial Planning;
  - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
  - (e) that the house shop may not be used for the purposes of noxious trade, risk activity, sale of alcoholic beverages, place of entertainment or gambling purposes;
  - (f) that no products, goods or supplies connected to the house shop may be stored on the property outside the building;
  - (g) that a single non-illuminated sign, that complies with the Municipal By-Law on Signage, may be displayed on the premises;
  - (h) that the trading hours of business only be between:

Monday to Friday: 08:00 to 17:00

Saturday: 08:00 to 13:00, and that should the hours of business be extended in terms of the proposed House Shop Policy, such hours of operation will be applicable.

- (i) that the number of people employed be restricted to three;
- (j) that the owner/manager resides on the premises;
- (k) that a Certificate of Acceptability from the Health Section of the Overberg District Council and Fire Prevention Certificate be obtained from the Municipal Fire Department;
- (l) that the approval is not transferable, and the house shop area may not be sublet to any other person by the applicant;
- (m) that the conditions in the Engineering Report be adhered to;
- (n) that the Overstrand Municipality retains the right to enforce any relevant legislation, regulations, law and order regarding these premises, the applicant and the departure in land use;
- (o) that this consent use approval is valid for a maximum period of five years, after which it will expire if application is not made for the extension of the validity period within the five year period;
- (p) that on-site parking be provided to the satisfaction of the Senior Manager: Town and Spatial Planning;
- (q) that Council reserves the right to rescind the approval without payment of compensation, should any justified objection be received to the manner in which the house shop is functioning or should the operation of the house shop be found to be detrimental to the peacefulness and amenity of the surrounding area;
- (r) 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;
- (s) that application is made for a Business Licence at the Overstrand Municipality prior to operation of the house shop;
- (t) that building plans be submitted showing all building changes and partitioning of the house shop in the dwelling to the satisfaction of the Fire Department and Building Department;
- (u) that no accumulation of refuse occur on the premises; and

- (v) that no sleeping be allowed in the house shop/store.
2. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

**RESPONSIBLE OFFICIAL :**

**H OLIVIER**

**TARGET DATE FOR IMPLEMENTATION :**

**11 DECEMBER 2019**

**TARGET DATE TO INFORM APPLICANT :**

**11 NOVEMBER 2019**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

6.

**A PORTION OF THE REMAINDER OF ERF 1 HAWSTON: RENEWAL OF LEASE OF MUNICIPAL PROPERTY TO SENTECH SOC LTD  
DEVIATION FROM PARAGRAPH 26 OF THE ADMINISTRATION OF IMMOVABLE PROPERTY POLICY OF 2015**

7/2/3/1

A le Roux

16 September 2019

Manager: Property Administration

(028) 316-3724

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**EXECUTIVE SUMMARY**

To obtain approval from the Executive Mayor to enter into a further lease agreement with Sentech SOC Ltd, in respect of a portion of the Remainder of Erf 1 Hawston for the purpose of a mast for radio- and television broadcasting and related purposes.

To obtain approval from Council for the deviation from paragraph 26 of the Administration of Immovable Property Policy of 2015 allowing the Municipality to enter into a further lease agreement with Sentech SOC Ltd, hereinafter referred to as "Sentech", in respect of a portion of the Remainder of Erf 1 Hawston for the purpose of a mast for radio- and television broadcasting and related purposes at a rental amount lower than the rental prescribed in the tariffs as approved by Council due to the community value of the said lease.

**RESOLVED:**

that the renewal of the lease of municipal property, being a portion of the Remainder of Erf 1 Hawston ( $\pm 74\text{m}^2$  in extent), to Sentech SOC Ltd for a mast for radio and television broadcasting and related purposes as from 1 February 2019, **be approved**, subject to Council approving a deviation from paragraph 26 of the Administration of Immovable Property Policy.

**RECOMMENDATION TO THE COUNCIL:**

that the deviation from paragraph 26 of the Administration of Immovable Property Policy in order to renew the lease agreement with Sentech SOC Ltd at a rental amount of R393.08 (THREE HUNDRED AND NINETY THREE RAND AND EIGHT CENT) (VAT excluded) per month as from 1 February 2019 and a rental amount of R410.38 (FOUR HUNDRED AND TEN RAND AND THIRTY EIGHT CENT) (VAT excluded) per month as from 1 July 2019 for the 2019/2020 financial year with an annual escalation on the 1<sup>st</sup> of July equal to the CPI, **be approved**.

**RESPONSIBLE OFFICIAL:**

**W MURTZ**

**TARGET DATE FOR IMPLEMENTATION:**

**31 DECEMBER 2019**

**TARGET DATE TO INFORM APPLICANT:**

**16 DECEMBER 2019**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

7.

**A PORTION OF THE REMAINDER OF ERF 243 HERMANUS: LEASE OF MUNICIPAL PROPERTY TO HERMANUS MEDICAL SUITES BODY CORPORATE**

7/2/3/1

A le Roux

Manager: Property Administration

10 October 2019

(028) 316-3724

**EXECUTIVE SUMMARY**

To obtain approval to enter into a lease agreement for a period of 5 (FIVE) years with Hermanus Medical Suites Body Corporate in respect of municipal property, being a portion of the Remainder of Erf 243 Hermanus ( $\pm 500\text{m}^2$  in extent) situated in Ravenscroft Road for parking purposes.

**RESOLVED:**

1. that the lease of municipal property, being a portion of the Remainder of Erf 243 Hermanus ( $\pm 500\text{m}^2$  in extent), to Hermanus Medical Suites Body Corporate for the parking purposes at the rental amount of R2,735.00 (TWO THOUSAND SEVEN HUNDRED AND THIRTY FIVE RAND) (VAT Excluded) per month for a period of 5 (FIVE) years, to commence on 1 December 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 in accordance with the percentage equal to the prevailing Consumer Price Index (all items), the next escalation to be on 1 July 2020.

**RESPONSIBLE OFFICIAL:****N LIEBENBERG****TARGET DATE FOR IMPLEMENTATION:****20 DECEMBER 2019****TARGET DATE TO INFORM APPLICANT:****11 DECEMBER 2019****TARGET DATE TO INFORM OBJECTOR:****N/A**

**8.  
ERF 2506 ONRUSTRIVIER: RENEWAL OF LEASE OF MUNICIPAL PROPERTY  
TO THE “DE WETSAAL BESTUURSKOMITEE”**

7/2/3/1

A le Roux

Manager: Property Administration

1 October 2019

(028) 316-3724

**EXECUTIVE SUMMARY**

To obtain approval to enter into a further lease agreement for a period of 9 (NINE) years and 11 (ELEVEN) months with the “De Wetsaal Bestuurskomitee” (hereinafter called “DWB”) in respect of municipal property, being Erf 2506 Onrustrivier (1,904m<sup>2</sup> in extent) situated at 8 Roos Street, Onrustrivier for the purpose of managing, leasing, supervising and maintaining the De Wet Community Hall as a community project.

**RESOLVED:**

1. that the lease of municipal property, being Erf 2506 Onrustrivier (1,904m<sup>2</sup> in extent) to the “De Wetsaal Bestuurskomitee” for the purpose of managing, leasing, supervising and maintaining the De Wet Community Hall as a community project at the rental amount of R147.83 (ONE HUNDRED AND FORTY SEVEN RAND AND EIGHTY THREE CENT) (VAT excluded) per month for the 2019/2020 financial year for a further period of 9 (NINE) years and 11 (ELEVEN) months as from 1 December 2019 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, **be approved**;
2. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the tariffs stipulated in the Annual Budget as approved by Council, the next escalation to be on 1 July 2020; and
3. that a condition be included in the lease agreement that the hall must be made available to the Municipality free of charge for official meetings and functions.

**RESPONSIBLE OFFICIAL:**

**W MURTZ**

**TARGET DATE FOR IMPLEMENTATION:**

**16 DECEMBER 2019**

**TARGET DATE TO INFORM APPLICANT:**

**30 DECEMBER 2019**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

9.  
**IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF ERF 6848 KLEINMOND, ADJACENT TO ERF 7308 KLEINMOND SITUATED IN OVERHILLS, TO THE BREAD OF LIFE ASSEMBLY OF SOUTH AFRICA**

7/2/3/2

A le Roux

Manager: Property Administration

9 October 2019

(028) 316-3724

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**EXECUTIVE SUMMARY**

To obtain approval in principle for the direct alienation of Erf 6848 Kleinmond (162m<sup>2</sup> in extent), adjacent to Erf 7308 Kleinmond, situated at 1 Bergroos Crescent, Overhills, to the owners of Erf 7308 Overhills, being The Bread of Life Assembly of South Africa.

**RECOMMENDATION TO THE COUNCIL:**

1. that the direct alienation of Erf 6848 Kleinmond (adjacent to Erf 7308 Kleinmond), 162m<sup>2</sup> in extent, to the owner of the adjoining Erf 7308 Kleinmond, The Bread of Life Assembly South Africa, at an amount of R41,000.00 (FORTY ONE THOUSAND RAND) (VAT excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as the said portion of Erf 6848 Kleinmond is classified as a non-viable property;
3. that, subject to the approval in 1 above, a public participation process be followed at the cost of the applicant/purchaser;
4. that it be noted that a condition for the alienation will be that Erf 6848 Kleinmond must be consolidated with the adjoining property of The Bread of Life Assembly South Africa, being Erf 7308 Kleinmond;
5. that the alienation of Erf 6848 Kleinmond be subject to a suspensive condition that the applicant/purchaser obtains approval for the rezoning and consolidation of the property;
6. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, consolidation, rezoning, transfer and related costs, advertisements, etc., be paid by the applicant/purchaser; and
7. that it be noted that the municipal property herewith envisaged to be alienated is 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 (Act 56 of 2003).



<b>RESPONSIBLE OFFICIAL :</b>	<b>N LIEBENBERG</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>20 DECEMBER 2019</b>
<b>TARGET DATE TO INFORM APPLICANT:</b>	<b>11 DECEMBER 2019</b>
<b>TARGET DATE TO INFORM OBJECTOR:</b>	<b>N/A</b>

10.

**IN PRINCIPLE APPROVAL FOR THE DIRECT ALIENATION OF A PORTION OF THE REMAINDER OF ERF 2715 BETTY'S BAY, ADJACENT TO ERF 3463 BETTY'S BAY, TO MICHAEL DALL FAMILY TRUST**

7/2/3/2

A le Roux

Manager: Property Administration

30 September 2019

(028) 316-3724

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**EXECUTIVE SUMMARY**

To obtain approval in principle for the direct alienation of a portion of the Remainder of Erf 2715 Betty's Bay, adjacent to Erf 3463 Betty's Bay ( $\pm 3,519\text{m}^2$  in extent), situated in Broadwith and High Level Road to the owner of Erf 3463 Betty's Bay, being the Michael Dall Family Trust.

**RECOMMENDATION TO THE COUNCIL:**

1. that the direct alienation of a portion of the Remainder of Erf 2715 Betty's Bay (adjacent to Erf 3463 Betty's Bay),  $\pm 3,519\text{m}^2$  in extent, to the owner of the adjoining Erf 3463 Betty's Bay, the Michael Dall Family Trust, at an amount of R20.00/m<sup>2</sup> (TWENTY RAND) (PER SQUARE METRE) (VAT excluded) be **approved in principle**;
2. that it be noted that the direct alienation is possible as the said portion of the Remainder of Erf 2715 Betty's Bay is classified as a non-viable property;
3. that, subject to the approval in 1 above, a public participation process be followed at the cost of the applicant/purchaser;
4. that it be noted that a condition for the alienation will be that the said portion of the Remainder of Erf 2715 Betty's Bay must be consolidated with the adjoining property of the Michael Dall Family Trust, being Erf 3463 Betty's Bay;
5. that no structures of any kind (excluding a boundary wall or fence) may be erected on the said portion of the Remainder of Erf 2715 Betty's bay, which condition must be registered against the title deed of the property;
6. that the alienation of said portion of the Remainder of Erf 2715 Betty's Bay be subject to a suspensive condition that the purchaser obtains approval for the closure of the public road, subdivision, rezoning and consolidation;
7. that all the costs pertaining to the transaction, e.g. application cost, valuation cost, subdivision, closure of portion of public road, consolidation, rezoning, transfer and related costs, advertisements, etc be paid by the applicant/purchaser, the Michael Dall Family Trust; and

8. that it be noted that the Municipal property herewith envisaged to be alienated is 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 (Act 56 of 2003).

**RESPONSIBLE OFFICIAL :**

**N LIEBENBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**20 DECEMBER 2019**

**TARGET DATE TO INFORM APPLICANT:**

**11 DECEMBER 2019**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

11.

**PORTIONS OF ERVEN 832 AND 249 HERMANUS, WRITE-OFF AND WRITE BACK OF AMOUNTS RAISED – PREVIOUS MARKET SQUARE TRADERS**

7/2/3/2

A le Roux

Manager: Property Administration

15 October 2019

(028) 316-3724

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**EXECUTIVE SUMMARY**

The purpose of the report is to request Council to approve the:

- (a) writing back of a total amount of R130,464.73 (ONE HUNDRED AND THIRTY THOUSAND FOUR HUNDRED AND SIXTY FOUR RAND AND SEVENTY THREE CENTS) representing electrical charges levied on the municipal accounts for the period 1 August 2015 to 31 March 2017;
- (b) writing back of a total amount of R1,746.79 (ONE THOUSAND SEVEN HUNDRED AND FORTY SIX RAND AND SEVENTY NINE CENTS) representing penalties, administrative and collection costs levied on the municipal accounts for the period 1 August 2015 to 31 March 2017; and
- (c) writing off of a total amount of R9,311.36 (NINE THOUSAND THREE HUNDRED AND ELEVEN RAND AND THIRTY SIX CENTS) as irrecoverable debt as the legal costs to collect the debt do not justify proceeding as the individual debt is very low;

which charges and debt were incurred in terms of a lease agreements entered into with several former traders at the Market Square (hereinafter referred to as “the traders”) situated on a portion of Erf 249 Hermanus and a portion of Erf 832 Hermanus.

**RECOMMENDATION TO THE COUNCIL:**

that Council approve the:

1. writing back of a total amount of R130,464.73 (ONE HUNDRED AND THIRTY THOUSAND FOUR HUNDRED AND SIXTY FOUR RAND AND SEVENTY THREE CENTS) representing electrical charges levied on the municipal accounts for the period 1 August 2015 to 31 March 2017;
2. writing back of a total amount of R1,746.79 (ONE THOUSAND SEVEN HUNDRED AND FORTY SIX RAND AND SEVENTY NINE CENTS) representing penalties, administrative and collection costs levied on the municipal accounts for the period 1 August 2015 to 31 March 2017; and

3. writing off of a total amount of R9,311.36 (NINE THOUSAND THREE HUNDRED AND ELEVEN RAND AND THIRTY SIX CENTS) as irrecoverable debt on the municipal accounts for the period 1 August 2015 to 31 March 2017.

**RESPONSIBLE OFFICIAL :**

**A LE ROUX  
E HOONENBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**30 DECEMBER 2019**

**TARGET DATE TO INFORM APPLICANT :**

**17 DECEMBER 2019**

12.

**ERF 243, ROTARY WAY, HERMANUS, OVERSTRAND MUNICIPAL AREA:  
PROPOSED CONSENT USE: MESSRS TOWN & COUNTRY CREATIVE LAND  
SOLUTIONS ON BEHALF OF OVERSTRAND MUNICIPALITY**

243 HNC (3135)

R Kuchar

22 October 2019

Senior Manager : Town &amp; Spatial Planning

(028) 3138900

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**EXECUTIVE SUMMARY**

An application has been received on 18 November 2015 from Town and Country Creative Land Solutions on behalf of the Overstrand Municipality on Erf 243, Hermanus for a consent use in order to build an Astronomy Education Centre and Amphitheatre 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), the application for a consent use on Erf 243, Hermanus in order to build new astronomy and educational centre facilities on the property concerned, **not be approved**, due to the following reasons:
  - (a) the non-compliance with the NEM: PAA Act;
  - (b) the necessary due diligence in the context of Fernkloof Nature Reserve has not been done;
  - (c) impact on the road and parking facilities have not been adequately addressed;
  - (d) the operational and maintenance and the financial means to enable the execution of the aforementioned have not been addressed;
  - (e) safety and security of the facility on an ongoing basis has not been addressed; and
  - (f) impact on the surrounding area adjacent to the facility has not been factored in, in the motivation of the application.
2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

<b>RESPONSIBLE OFFICIAL :</b>	<b>H VAN DER STOEP</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>11 DECEMBER 2019</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>11 DECEMER 2019</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

13.

**ERF 2416 BETTY'S BAY, WRITE BACK OF AMOUNTS LEVIED ON MUNICIPAL ACCOUNT: BETTY'S BAY RATEPAYERS ASSOCIATION**

7/2/3/2

A le Roux

Manager: Property Administration

10 October 2019

(028) 316-3724

**EXECUTIVE SUMMARY**

The purpose of the report is to request Council to approve the:

temporary suspension of rental and municipal services levied for the period 1 January 2019 to 31 March 2019 due to the fact that the Crassula Hall was used as a collection point and distribution centre during the Betty's Bay fire outbreak in December 2018 and January 2019, preventing the Betty's Bay Ratepayers Association full access to the facility therefore the write back of an amount of R2, 711.09 (TWO THOUSAND SEVEN HUNDRED AND ELEVEN RAND AND NINE CENTS) (VAT excluded) representing municipal services, insurance charges and rental levied and paid by the Betty's Bay Ratepayers Association for the period 1 January 2019 to 31 March 2019.

**RECOMMENDATION TO THE COUNCIL:**

1. that the temporary suspension of rental and charges for municipal services for the period 1 January 2019 to 31 March 2019, due to the fact that the Crassula Hall was used as a collection point and distribution centre during the Betty's Bay fire outbreak in December 2018 and January 2019, **be approved**; and
2. that an amount of R2,711.09 (TWO THOUSAND SEVEN HUNDRED AND ELEVEN RAND AND NINE CENTS) (VAT excluded) representing municipal services charges, insurance charges and rental levied and paid by the Betty's Bay Ratepayers Association for the period 1 January 2019 to 31 March 2019, **be written back**.

**RESPONSIBLE OFFICIAL :****N LIEBENBERG****TARGET DATE FOR IMPLEMENTATION :****11 DECEMBER 2019****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**



14.

**ADOPTION OF GOVERNMENT ASSISTED RENTAL HOUSING STRATEGY FOR OVERSTRAND MUNICIPALITY**

17/5/3/B

R Kuchar

Senior Manager: Town &amp; Spatial Planning

20 October 2019

(028) 313 8900

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**EXECUTIVE SUMMARY**

This item serves to obtain Council's approval for the proposed Rental Housing Strategy which outlines the process by which restructuring zones are identified, developed and managed.

**RECOMMENDATION TO THE COUNCIL :**

1. that the Government Assisted Rental Housing Strategy for Overstrand Municipality (GARHS) be adopted;
2. that the procurement process to obtain a viable Social Housing Institute (SHI) for the first restructuring zones be commenced with;
3. that Western Cape Government Department of Human Settlement be informed of the adoption of the GARHS;
4. that the municipal rental housing stock situated in Tebele, Tshandu and Lange Streets, Zwelihle (as confirmed by the Housing Department) be subdivided and transferred (or sold) to the current tenants; and
5. that the municipal rental housing stock situated on Erf 243, Mount Pleasant be demolished once Council has approved the development of formal erven.

**RESPONSIBLE OFFICIAL :****R KUCHAR****TARGET DATE FOR IMPLEMENTATION :****11 DECEMBER 2019****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A****The meeting adjourned at 10:24**

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**DATE**

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**D COETZEE – EXECUTIVE MAYOR**