



**ORDINARY MEETING OF THE MAYORAL
COMMITTEE**

**GEWONE VERGADERING VAN DIE
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI
KASODOLOPHU**

MINUTES / NOTULE /

IMIZUZU

**DATE / DATUM / UMHLA : 28 OCTOBER / OKTOBER /
OKTOBHA 2015**

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

**CIVIC CENTRE / BURGERSENTRUM / IZIKO LOLUNTU
HERMANUS**

TIME / TYD / IXESHA : 10:00

OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

MINUTES OF AN ORDINARY MEETING OF THE MAYORAL COMMITTEE HELD IN THE BANQUETING HALL, CIVIC CENTRE, HERMANUS, ON 28 OCTOBER 2015, AT 10:00

PRESENT/ TEENWOORDIG

Councillors were present as per attached attendance register.

**OFFICIALS PRESENT/
AMPTENARE TEENWOORDIG**

Mr C Groenewald, Municipal Manager
Ms S Reyneke-Naudé, Director : Finance
Mr R Williams, Director : Community Services
Ms D Arrison, Director : Management Services
Mr N Michaels, Director : Protection Services
Mr S Müller, Director : Infrastructure & Planning
Mr S Madikane, Director : LED
Mr F Myburgh, Senior Manager : Gansbaai
Administration
Mr R Kuchar, Senior Manager : Town Planning/
Property Administration
Ms R Louw, Senior Manager : Strategic Services
Ms H van Tonder, Manager : Council Support
Services
Mr R Fraser, Chief : Traffic/Licences
Ms R Steenekamp, PA : Director : Management
Services
ICT
Mr L Smith : Chief : Fire & Rescue & Disaster
Management
Ms S Swart: Administrative Officer : Council
Support Services
Ms G Erasmus, Clerk : Auditorium
Ms D Laing, Relief Clerk : Auditorium

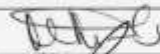

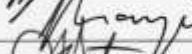
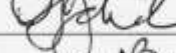
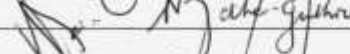

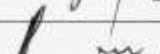
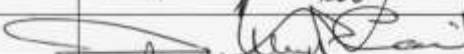
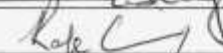
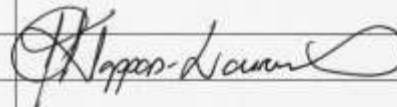

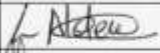



ALSO PRESENT:

Members of the Public

MINUTES/.....

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING
28 OCTOBER 2015

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

1. OPENING

The meeting was opened with prayer by Cllr L Krige.

The Municipal Manager, Mr C Groenewald, read the notice convening the meeting.

2. APPLICATIONS FOR LEAVE OF ABSENCE

None

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 30 September 2015 at 10:00**

RESOLVED

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 30 September 2015 at 10:00, be confirmed.**

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

None

5.
**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36 16(1)(b) AND 17(1)(c) FOR SEPTEMBER 2015**

8/2/2

C Le Roux

(028) 313 8080

Corporate Head Office

013 October 2015

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of all deviations from the Supply Chain Management Policy, approved by the delegated authority in terms of Paragraph 36 of the Supply Chain Management Policy, as well as approvals in terms of 16(1)(b) and 17(1)(c) for September 2015.

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for September 2015, **be noted**; and
2. that the awards made in terms of Paragraph 16(1)(b) and 17(1)(c), approved in terms of the delegated authority for September 2015, **be noted**.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

6.
QUARTERLY BUDGET REPORT FOR SEPTEMBER 2015

5/1/17-2015/2016
B A King
15 October 2015

(028) 313 8154

Corporate Head Office

EXECUTIVE SUMMARY

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

RECOMMENDATION TO THE COUNCIL:

that the budget report for the quarter ended September 2015, prepared as part of the financial reporting obligations arising from the Local Government: Municipal Finance Management Act, 2003, **be noted**.

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

7.
QUARTERLY BANK ACCOUNT WITHDRAWALS NOT IN TERMS OF AN APPROVED BUDGET

5/18/R

BA King

(028) 313 8154

Corporate Head Office

15 October 2015

EXECUTIVE SUMMARY

Report prepared as part of the financial reporting obligations arising from section 11(4) of the Local Government: Municipal Finance Management Act, 2003 (MFMA).

RECOMMENDATION TO THE COUNCIL:

that the consolidated quarterly report in respect of Bank Account Withdrawals not in terms of an Approved Budget for the quarter ended September 2015, **be noted**.

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

**8.
SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT – 2015/2016:
1st QUARTER: 01 JULY TO 30 SEPTEMBER 2015**

8/2/2

**C Le Roux
09 October 2015**

(028) 313 8107

Hermanus Administration

EXECUTIVE SUMMARY

In terms of Clause 6(3) of Council's Supply Chain Management Policy, the Municipal Manager must, within 10 business days of each quarter, submit a report on the implementation of the Supply Chain Management Policy to the Executive Mayor.

The report contains the following:

- a) awards made through the bid committee system in terms of delegated authority,
- b) deviations from and minor breaches of the Supply Chain Management Policy, respectively approved and ratified by the Accounting Officer in terms of Clause 36 of the Supply Chain Management Policy, dated 25 September 2008 as amended,
- c) the status of Objections and Complaints lodged in terms of Clause 49 of the Supply Chain Management Policy against the implementation of the supply chain management system, and
- d) the status of incidences of irregular expenditure identified to date.

RECOMMENDATION TO THE COUNCIL:

that **cognisance be taken** of the activities undertaken and outcomes achieved in the implementation of the Overstrand Municipality Supply Chain Management Policy for the 1st Quarter of 2015/2016.

RESPONSIBLE OFFICIAL :

C LE ROUX

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

PORTFOLIO COMMITTEE :
FINANCE & ECONOMIC DEVELOPMENT

Chairperson :

Cllr D Coetzee

Committee Members :

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

PORTEFEULJEKOMITEE :
FINANSIES & EKONOMIESE ONTWIKKELING

Voorsitter :

Rdl D Coetzee

Komiteede:

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

1.
LOCAL ECONOMIC DEVELOPMENT SERVICE DELIVERY ACTIVITIES

9/1/2/2

S Madikane
28 September 2015

(028) 313 8066

Corporate Head Office

EXECUTIVE SUMMARY

Local Economic Development (LED) forms a critical part of the municipality's operations hence its recognition in the Local Government: Municipal Systems Act 32 of 2000 and Chapter 6 of the Municipality's Integrated Development Plan (IDP). This report is therefore designed as a result of the development strategies identified by the Municipality through its IDP.

RESOLVED:

that the Economic Development and Tourism Service Delivery Report for the 1st Quarter **be noted**.

RESPONSIBLE OFFICIAL :

S MADIKANE

TARGET DATE FOR IMPLEMENTATION :

28 SEPTEMBER 2015

2.
SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FIRST QUARTERLY REPORT: JULY-SEPTEMBER 2015

2/12/1/1

R Louw

(028) 313 8071

Corporate Head Office

21 September 2015

REMARK :

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

PORTFOLIO COMMITTEE :

MANAGEMENT SERVICES

Chairperson :

Ald P Appelgrein

Committee Members :

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

PORTEFEULJEKOMITEE :

BESTUURSDIENSTE

Voorsitter :

Rdh P Appelgrein

Komiteelede :

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

1.
DRAFT BY-LAW ON MUNICIPAL LAND USE PLANNING

1/3/22

L Wallace

(028) 313 5014

Corporate Head Office

28 September 2015

EXECUTIVE SUMMARY

The purpose of this report is for Council to adopt the proposed By-law on Municipal Land Use Planning in terms of Section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), hereafter referred to as “*the MSA*”. The proposed By-law was introduced as is provided for in terms of Section 12(1) of the MSA and Council’s By-law on Rules of Order for Internal Arrangements, P.N. 7188 of 2013. The necessary permission was obtained to publish the proposed by-law in the press in order to give the public an opportunity to make representations.

RECOMMENDATION TO THE COUNCIL:

1. that, in terms of section 156(2) of the Constitution of the Republic of South Africa, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), the By-law on Municipal Land Use Planning **be adopted**; and
2. that, in terms of section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) the By-law on Municipal Land Use Planning be published when the Western Cape Land Use Planning Act, Act 3 of 2014, comes into effect in the Overstrand Municipality.

RESPONSIBLE OFFICIAL :

L WALLACE

TARGET DATE FOR IMPLEMENTATION :

**DEPENDING ON LUPA
 IMPLEMENTATION**

2.
STANDARD PROCEDURES FOR THE MANAGEMENT OF ALLEGATIONS OF MISCONDUCT AGAINST SENIOR MANAGERS OR THE MUNICIPAL MANAGER IN TERMS OF DISCIPLINARY REGULATIONS

Ref: 4/10/2

C Groenewald
6 October 2015

(028) 313 8003

Corporate Head Office

EXECUTIVE SUMMARY

The purpose of this report is for Council to adopt a protocol on Standard Procedures for the Management of Allegations of Misconduct against Senior Managers or the Municipal Manager in terms of Disciplinary Regulations.

RECOMMENDATION TO THE COUNCIL:

that the Standard Procedures for the Management of Allegations of Misconduct against Senior Managers or the Municipal Manager in terms of Disciplinary Regulations, **be adopted.**

RESPONSIBLE OFFICIAL:

C GROENEWALD

TARGET DATE FOR IMPLEMENTATION:

**FOR IMMEDIATE
IMPLEMENTATION**

3.
**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FIRST QUARTERLY REPORT: JULY-SEPTEMBER 2015**

2/12/1/1

R Louw

(028) 313 8071

Corporate Head Office

21 September 2015

EXECUTIVE SUMMARY

The purpose of this report is to provide an executive summary of service delivery performance in terms of the top level SDBIP for the first quarter, 1 July 2015 to 30 September 2015.

RECOMMENDATION TO THE COUNCIL:

1. that the content of the report for the 1st quarter of the 2015/2016 financial year on the top level Service Delivery and Budget Implementation Plan **be noted**; and
2. that the amendments to the Departmental and Top layer SDBIP for the 1st quarter of the 2015/2016 financial year **be approved**.

RESPONSIBLE OFFICIAL :

R LOUW

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

PORTFOLIO COMMITTEE :

PROTECTION SERVICES

Chairperson :

Ald P Appelgrein

Committee Members :

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

PORTEFEULJEKOMITEE :

BESKERMINGSDIENSTE

Voorsitter :

Rdh P Appelgrein

Komiteelede :

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

**1.
SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FIRST QUARTERLY REPORT: JULY-SEPTEMBER 2015**

2/12/1/1

R Louw

(028) 313 8071

Corporate Head Office

21 September 2015

REMARK :

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

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr M Opperman

Committee Members :

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

PORTEFEULJEKOMITEE :

GEMEENSKAPSDIENSTE

Voorsitter :

Rdl M Opperman

Komiteelede :

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

1.

WARD COMMITTEES SYSTEM: PERFORMANCE REPORT: 2014/2015**R Williams
25 September 2015****(028) 313 8029****Corporate Head Office**

EXECUTIVE SUMMARY

To provide Council with the 2014/2015 mid-year performance report in respect of performance by Ward Committees in the Overstrand Municipality.

RESOLVED:

that the Report on Performance by Ward Committees in the Overstrand Municipality for the period 01 July 2014 until 30 June 2015, **be noted**.

RESPONSIBLE OFFICIALS:**R WILLIAMS, AREA MANAGERS
AND DEPUTY AREA MANAGERS****TARGET DATE FOR IMPLEMENTATION:****ON-GOING**

2.

**SUBSIDY APPLICATION ON PROCLAIMED MAIN ROADS FOR THE PERIOD
01 JULY 2016 TO 30 JUNE 2017**

5/6/17

M Bartman

(028) 313 8982

Corporate Head Office

25 September 2015

EXECUTIVE SUMMARY

The purpose of this report is to obtain approval for the subsidy application for the maintenance of proclaimed main roads within Overstrand for the period 1 July 2016 to 30 June 2017.

RESOLVED:

that the subsidy application to be submitted to the Provincial Department of Roads and Transport for proclaimed main roads in Overstrand for the 2016/17 financial year to the amount of R202 577.00, **be supported.**

RESPONSIBLE OFFICIAL :**M BARTMAN****TARGET DATE FOR IMPLEMENTATION :****NOVEMBER 2016**

**3.
HOUSING: BENEFICIARIES : MILITARY VETERANS IN THE OVERSTRAND AREA**

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

10 September 2015

EXECUTIVE SUMMARY

The purpose of the report is to request approval of Council of the list of military veterans as potential beneficiaries in housing projects.

RECOMMENDATION TO THE COUNCIL:

that the report in respect of military veterans as potential beneficiaries of affordable housing opportunities, **be noted**.

RESPONSIBLE OFFICIAL :

FW FRANS

TARGET DATE FOR IMPLEMENTATION :

01 NOVEMBER 2015

4.
SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FIRST QUARTERLY REPORT: JULY-SEPTEMBER 2015

2/12/1/1

R Louw

(028) 313 8071

Corporate Head Office

21 September 2015

REMARK :

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

**PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING**

Chairperson :

**Executive Deputy Mayor,
Cllr R Smith**

Committee Members :

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

**PORTEFEULJESKOMITEE :
INFRASTRUKTUUR & BEPLANNING**

Voorsitter :

**Uitvoerende Onderburgemeester
Rdl R Smith**

Komiteelede :

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

**1.
TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY : SEPTEMBER 2015**

15/3/11

R van Antwerp

(028) 313 8039

Hermanus Administration

14 September 2015

EXECUTIVE SUMMARY

To report on applications disposed of by the Senior Manager : Town- & Spatial Planning during the period from 1 September 2015 – 22 September 2015.

RESOLVED:

that **cognisance be taken** of the town planning applications disposed of by the Senior Manager : Town- & Spatial Planning in terms of delegated authority for the period 1 September 2015 – 22 September 2015:

1.	Erf 1009, De Kelders	7 September 2015
2	Erf 2342, Pearly Beach	7 September 2015
3.	Erf 2830, Hermanus	7 September 2015
4.	Erf 2890. Onrus River	7 September 2015
5.	Erf 1229, Sandbaai	11 September 2015
6.	Portion 99 of the Farm 559	14 September 2015
7.	Erf 594, Kleinbaai	15 September 2015
8.	Erf 2035, Hermanus	16 September 2015
9	Erf 1702, Gansbaai	17 September 2015
10.	Erf 1975, Hermanus	18 September 2015
11.	Erf 3850, Onrus River	18 September 2015
12.	Erf 304, Hawston	18 September 2015
13.	Portion 366 of the Farm 581	18 September 2015
14.	Erven 5295 and 5297, Hermanus	22 September 2015
15.	Erf 3908, Hermanus	22 September 2015
16.	Erf 2181, Pearly Beach	22 September 2015
17.	Erf 2168, Gansbaai	22 September 2015

RESPONSIBLE OFFICIAL :

R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2015

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

2.**APPOINTMENT OF MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL**

15/3/3/1

R Kuchar

(028) 313 8087

Corporate Head Office

21 September 2015

EXECUTIVE SUMMARY

The purpose of this report is for Council to:

- (a) appoint persons who are not officials (external members), and who have the specified knowledge and experience, to serve as members of the MPT;
- (b) stipulate a term of office for the authorized officials and external members, and
- (c) designate a Chairperson and Deputy Chairperson.

RECOMMENDATION TO THE COUNCIL:

- 1. that Ms H Janser be appointed as the external member to the Municipal Planning Tribunal (MPT) and Mr J Benjamin and Ms Y Mabantsela as secundi alternatively;
- 2. that the members of the MPT be appointed for a five (5) year period from the date that the legislation is enacted; and
- 3. that the Municipal Manager be appointed as Chairperson and the Director: Infrastructure and Planning as Deputy Chairperson of the MPT.

RESPONSIBLE OFFICIAL :**R KUCHAR****TARGET DATE FOR IMPLEMENTATION :****11 NOVEMBER 2015**

**3.
CATEGORISATION OF APPLICATIONS TO BE DECIDED BY THE
MUNICIPAL PLANNING TRIBUNAL AND AUTHORISED OFFICIAL IN
PREPARATION FOR THE IMPLEMENTATION OF THE MUNICIPAL
PLANNING BY-LAW**

15/3/3/1

Riaan Kuchar

(028) 313 8087

Corporate Head Office

21 September 2015

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider a decision to categorise the types of applications as prescribed in Section 35(2)(3) of the Spatial Planning and Land Use Management Act (Act 16 of 2013) to be decided by the Municipal Planning Tribunal (MPT) and those to be decided by an authorised official. Further to designate an employee of Overstrand Municipality to carry out the functions of an authorized official to take decisions with regard to certain categorized land use applications.

New planning legislation came into force from 1 July 2015 namely, the Spatial Planning and Land Use Management Act No. 16 of 2013 (SPLUMA), and the Regulations in terms of Section 54 of SPLUMA.

Section 35(2)(3) of SPLUMA requires Council to prescribe the category of applications to be decided by the Municipal Planning Tribunal and those to be decided by the authorised official.

The purpose of this report is to present to Council a proposed model for the categorisation of such applications as contained in Annexure A to the item and to designate an employee of Overstrand Municipality to carry out the functions of an authorized official to take decisions with regard to certain categorized land use applications.

RECOMMENDATION TO THE COUNCIL:

1. that the categorisation of planning applications **be approved**;
2. that Category 1 applications be decided by the Municipal Planning Tribunal;
3. that Category 2 applications be decided by the Authorised Official; and
4. that the Senior Manager: Town- and Spatial Planning be designated as the authorised official, for the purposes of Section 35(2) of SPLUMA, to decide on Category 2 applications.

RESPONSIBLE OFFICIAL :

R KUCHAR

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2015

4.

ERF 401, 16 SNOEK STREET, VAN DYKSBAAI (KLEINBAAI) : PROPOSED TITLE RELAXATION : L SIEG**401 GKB (2825)****SW van der Merwe
11 September 2015****(028) 313 8900****Hermanus Administration**

EXECUTIVE SUMMARY

To consider an application for relaxation of restrictive title condition received on 10 February 2015 from L Sieg on Erf 401, Kleinbaai in order to accommodate an existing outbuilding on the rear- and lateral erf boundaries, as well as a proposed carport fixed to the street boundary wall.

RESOLVED:

that the application for the relaxation of restrictive title conditions contained in the Title Deed of Erf 401, Van Dyksbaai (T53229/2014; paragraph 7) in order to relax the street building line from 5m to 0m, the 1,5m lateral- and 3m rear building lines up to the relevant erf boundaries, **be approved**, subject thereto that this approval is only for the relaxation of the building lines as indicated on Plan No. 16/IS/14 dated 15 October 2014, which was submitted with the application.

RESPONSIBLE OFFICIAL :**SW VAN DER MERWE****TARGET DATE FOR IMPLEMENTATION :****11 NOVEMBER 2015****TARGET DATE TO INFORM APPLICANT :****11 NOVEMBER 2015****TARGET DATE TO INFORM OBJECTOR :****11 NOVEMBER 2015**

5.

**ERF 2940, 4 PROTEA STREET, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA
: PROPOSED DEPARTURE AND TITLE DEED BUILDING LINE RELAXATION :
MESSRS ENGELBRECHT & SCORGIE ON BEHALF OF DF MINITZER**

2940 HON (2895)

H Olivier

28 August 2015

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 22 April 2015 from Messrs Engelbrecht & Scorgie on behalf of the property owner on Erf 2940, Onrus River, DF Minitzer, for a departure to relax the 4m street building line to 1,80m, the 2m lateral building line to 0,8m and the southern lateral building line to 0m to accommodate proposed additions and alterations to the existing dwelling house on the property concerned.

The application also includes a relaxation of title deed restrictions regarding a 0,94m lateral building line restriction inserted in the Title Deed of the property, inserted in favour of the Municipality.

RESOLVED:

1. that the relaxation of the 0,94m lateral building line in the Title Deed of the property, as stipulated in the Title Deed in favour of the Municipality **be approved**;
2. that the application for departure in terms of Section 15 of Ordinance 15 of 1985 on Erf 2940, Onrus River to relax the 4m street building line, the 2m northern- and southern lateral building lines, **be approved**, subject to the following conditions:
 - (a) that the street building line be relaxed from 4m to 1,89m to accommodate the existing building and alterations to the dwelling;
 - (b) that the northern lateral building line be relaxed from 2m to 0,8m to accommodate alterations to the existing building, an extension and roof slab;
 - (c) that the total sum of all openings closer than 1m from the northern lateral boundary may not exceed 5m² in total (SANS 10400 T : 2011 – Table 2) to the satisfaction of the Fire Department, prior to building plan approval;
 - (d) that the southern lateral building line be relaxed from 2m to 0m, to accommodate the garage;
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation;

- (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
 - (g) that all the conditions in the services report be complied with.
3. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

RESPONSIBLE OFFICIAL :

H OLIVIER

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2015

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2015

TARGET DATE TO INFORM OBJECTOR :

11 NOVEMBER 2015

6.

ERF 7006, 294 TENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : REALTIME STRATEGIES CAPE (PTY) LTD

7006 HVK (2920)**P Roux****26 August 2015****(028) 313 8900****Hermanus Administration**

EXECUTIVE SUMMARY

To consider an application received on 18 May 2015 from Real Time Strategies Cape (Pty) Ltd on Erf 7006, Hermanus (Voëlkliip) for a departure from the relevant Scheme Regulations in order to convert the flat roof structure into a pitched roof to prevent leakages.

RESOLVED:

1. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 1,2m to convert the flat roof structure into a pitched roof to prevent leakages, **be approved**, subject to the following conditions:
 - (a) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage;
 - (b) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (c) that all other parameters as prescribed in the Zoning Scheme be adhered to; and
 - (d) that all the conditions in the Services Report be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

RESPONSIBLE OFFICIAL :

P ROUX

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2015

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2015

TARGET DATE TO INFORM OBJECTOR :

11 NOVEMBER 2015

7.

ERF 1746, CORNER OF MAIN ROAD AND LONG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE : MESSRS PLAN ACTIVE TOWN- AND REGIONAL PLANNERS ON BEHALF OF MESSRS SOBREY PROPERTY INVESTMENTS CC

1746 HSB (2745)

H van der Stoep

14 September 2015

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application in terms of Section 2.2 of the Overstrand Zoning Scheme Regulations has been received on 30 October 2014 from Messrs Plan Active Town- and Regional Planners on behalf of Messrs Sobrey Property Investments CC for a consent use for a place of institution, for a pre-primary school (also includes change of school's timetable) on Erf 1746, Sandbaai.

The applicant requested that the application be put on hold in order for the Municipality to allow mediation between the applicant and the objectors. The Executive Mayor on 24 June 2015 resolved that the application be held in abeyance until further notice.

RESOLVED:

1. that, in terms of Section 2.2 of the Overstrand Municipality Zoning Scheme Regulations promulgated in accordance with Section 9 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a consent use on Erf 1746, Sandbaai for a place of institution, for a pre-primary school, **be approved**;
2. that the amended time table **be approved** and that the business hours be restricted to the time table;
3. that the development complies with Fire Safety Regulations as pre requisite SANS 10400T:2011;
4. that the development be restricted to Plan No SANDB1746sdp.DRW, dated October 2014;
5. that the wall between the school and the residential erven be heightened to 2,1m;
6. that fund raising events, the graduation of Grade R and Christmas evening be part of the pre-school activities;
7. that the school be restricted to one hundred and forty (140) children;
8. that all the conditions in the Services Report be complied with;

9. that all the conditions imposed by the Overberg District Municipality (Health Section) in their letter dated 25 June 2015 be complied with;
10. that the approval does not absolve the applicant from compliance with any other legislation and/or Title Deed conditions;
11. that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
12. that the applicable rates and service tariffs, as determined by the annual budget, be levied, which tariffs are automatically adjusted in terms of the annual budget; and
13. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

RESPONSIBLE OFFICIAL :

H VAN DER STOEP

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2015

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2015

TARGET DATE TO INFORM OBJECTORS :

11 NOVEMBER 2015

8.

**ERF 3669, 235 FOURTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND
MUNICIPAL AREA: PROPOSED DEPARTURE: MS R VAN WIJNGAARDEN**

3669 HVK (2971)**P Roux****27 August 2015****(028) 313 8900****Hermanus Administration**

EXECUTIVE SUMMARY

An application has been received on 14 May 2015 from Ms R van Wijngaarden on Erf 3669, Hermanus for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 1,2m to enclose the existing balcony with an extended roof and screens on the sides.

RESOLVED:

1. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 1,2m to enclose the existing balcony with an extended roof and screens on the sides, **be approved**, subject to the following conditions:
 - (a) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage;
 - (b) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (c) that all other parameters as prescribed in the Zoning Scheme be adhered to; and
 - (d) that all the conditions in the Service Report be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

RESPONSIBLE OFFICIAL :

P ROUX

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2015

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2015

TARGET DATE TO INFORM OBJECTOR :

11 NOVEMBER 2015

9.**APPLICATION FOR PERMISSION FOR THE USE OF BOREHOLE WATER FOR IRRIGATION PURPOSES BY THE HERMANUS GOLF CLUB**

16/1/8

Hanré Blignaut

(028) 313 5047

Hermanus Administration

28 September 2015

EXECUTIVE SUMMARY

A Deed of Sale was entered into between Overstrand Municipality and the Hermanus Golf Club (HGC) on 6 December 2006 for the purchase of municipal property, remainder of erf 9935 Hermanus, by the HGC. The Deed of Sale was amended on 27 April 2007. One of the conditions of the Deed of Sale was that the HGC will not use any borehole water for irrigation purposes. Due to problems recently experienced with the quality of irrigation water, the HGC submitted an application to make use of borehole water for irrigation purposes. The purpose of this report is for Council to approve a further amendment to the Deed of Sale, to allow for groundwater abstraction by the HGC under specific conditions.

RECOMMENDATION TO THE COUNCIL:

that Clause 12.5 of the Deed of Sale between Overstrand Municipality and the Hermanus Golf Club, as amended on 27 April 2007, be replaced by the following:

The Hermanus Golf Club may use borehole water for irrigation purposes only if all the following conditions are being complied with:

- (a) The Hermanus Golf Club to successfully apply for a water use license to the Breede Overberg Catchment Management Agency (BGCMA) for using borehole water for irrigation purposes;
- (b) The specific boreholes to be re-opened be identified by the Hermanus Golf Club and indicated to the municipality and the BGCMA;
- (c) The condition of the proposed boreholes be assessed by the Hermanus Golf Club (casing, depth, water level, water quality), and reported to the BGCMA and the municipality for final approval to ensure that abstraction will take place only from the shallow Skurweberg aquifer;
- (d) The Hermanus Golf Club to provide evidence of the implementation of a Water Conservation and Water Demand Management program for irrigation;
- (e) The Hermanus Golf Club to establish a monitoring borehole and install monitoring equipment as per specification of the BGCMA and the municipality;

- (f) The Hermanus Golf Club to make all monitoring data available monthly for routine processing and analysis to the BGCMA and the municipality;
- (g) The Hermanus Golf Club to become a member of the Hermanus Groundwater Monitoring Committee; and
- (h) Groundwater abstraction by the Hermanus Golf Club to stop immediately in the event of any negative impact on any existing legal groundwater users.

RESPONSIBLE OFFICIAL :

H BLIGNAUT

TARGET DATE FOR IMPLEMENTATION :

1 NOVEMBER 2015

TARGET DATE TO INFORM APPLICANT :

29 OCTOBER 2015

10.

ERF 11460, 171 ELEVENTH STREET, HERMANUS (VOËLKLIP), OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS ANDREW GREEFF ARCHITECHTS ON BEHALF OF JF LE ROUX

11460 HVK (2830)

P Roux

(028) 313 8900

Hermanus Administration

31 August 2015

EXECUTIVE SUMMARY

To consider an application received on 23 February 2015 from Messrs Andrew Greeff Architects on behalf of JF Le Roux on Erf 11460, Hermanus (Voëlklip) for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 1,2m to 0m to accommodate a double garage on the property.

RESOLVED:

1. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for departure from the relevant Scheme Regulations in order to relax the lateral building line from 1,2m to 0m to accommodate a double garage on Erf 11460, Hermanus (Voëlklip), **be approved**, subject to the following conditions;
 - (a) that the proposed garage only be used for the storage of motor vehicles;
 - (b) that the approval only has reference to Plan no DRG 0.1 to 0.3 as submitted with the application;
 - (c) that building plans be submitted to the Building Department for approval and that all conditions from the Building - and Fire Department be complied with at that stage;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

RESPONSIBLE OFFICIAL :

P ROUX

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2015

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2015

TARGET DATE TO INFORM OBJECTOR :

11 NOVEMBER 2015

11.

**ERF 7418, 46 GM SIYONI STREET, OVERHILLS, KLEINMOND, OVERSTRAND
MUNICIPAL AREA: PROPOSED DEPARTURE: NB MALOTE**

7418 KOH (2610)**H van der Stoep****(028) 313 8900****Hermanus Administration****22 September 2015**

EXECUTIVE SUMMARY

An application has been received on 27 June 2014 from NB Malote on Erf 7418, Overhills, Kleinmond for a departure from the Scheme Regulations to enable the owner to legalize the existing shebeen on the property.

RESOLVED:

that the item **be referred back** for a site inspection and be resubmitted during the November 2015 cycle.

RESPONSIBLE OFFICIAL :**H VAN DER STOEP****TARGET DATE FOR IMPLEMENTATION :****11 NOVEMBER 2015****TARGET DATE TO INFORM APPLICANT :****11 NOVEMBER 2015****TARGET DATE TO INFORM OBJECTOR :****11 NOVEMBER 2015**

12.

ERF 7340, 17 PS LITHOLI STREET, OVERHILLS, KLEINMOND, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : NS & T VARA

7340 KOH (2608)

H van der Stoep

22 September 2015

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 27 June 2014 from NS & T Vara on Erf 7340, Overhills, Kleinmond for a departure from the Scheme Regulations to enable the owner to legalize the existing shebeen on the property.

RESOLVED:

that the item **be referred back** for a site inspection and be resubmitted during the November 2015 cycle.

RESPONSIBLE OFFICIAL :**H VAN DER STOEP****TARGET DATE FOR IMPLEMENTATION :****11 NOVEMBER 2015****TARGET DATE TO INFORM APPLICANT :****11 NOVEMBER 2015****TARGET DATE TO INFORM OBJECTOR :****11 NOVEMBER 2015**

13.

ERF 7355, 6 ABALONE STREET, OVERHILLS, KLEINMOND, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : XH SUKA

7355 KOH (2609)

H van der Stoep

22 September 2015

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 27 June 2014 from XH Suka on Erf 7355, Overhills, Kleinmond for a departure from the Scheme Regulations to enable the owner to legalize the existing shebeen on the property.

RESOLVED:

that the item **be referred back** for a site inspection and be resubmitted during the November 2015 cycle.

RESPONSIBLE OFFICIAL :**H VAN DER STOEP****TARGET DATE FOR IMPLEMENTATION :****11 NOVEMBER 2015****TARGET DATE TO INFORM APPLICANT :****11 NOVEMBER 2015****TARGET DATE TO INFORM OBJECTOR :****11 NOVEMBER 2015**

14.

ERF 4740, 22 THIRTEENTH AVENUE, KLEINMOND : OVERSTRAND MUNICIPAL AREA : PROPOSED REZONING, SUBDIVISION AND DEPARTURE : MESSRS DAVID HELLIG & ABRAHAMSE ON BEHALF OF JHS MANS

4740 KKM (2876)

H van der Stoep

9 September 2015

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 8 April 2015 from Messrs David Hellig & Abrahamse on behalf of JHS Mans for the rezoning of Erf 4740, Kleinmond from Residential Zone I : Single Residential to General Residential Zone I: Town Housing.

An application has also been received for the subdivision of the applicable rezoned erf to create the following:

- Portions 1 – 9 : Town Housing;
- Portion 10 : Private Road; and
- Portion 11 : Public Road.

An application has lastly been received for a departure from the Scheme Regulations to relax the western and eastern perimeter boundaries from 3m to 2m respectively.

RESOLVED:

1. that, in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for the rezoning of Erf 4740, Kleinmond from Residential Zone I : Single Residential to General Residential Zone I: Town Housing, **be approved**;
2. that, in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for the subdivision of the applicable rezoned erf to create the following: Portions 1 – 8 : Town Housing; Portion 10 be renumbered to Portion 9 : Private Road and Portion 11 be renumbered to Portion 10 : Public Road, **be approved**;
3. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a departure from the Scheme Regulations on Erf 4740, Kleinmond to relax the western and eastern perimeter boundaries from 3m to 2m respectively, **be approved**, subject to the following conditions:
 - (a) that the development be restricted to eight (8) units;
 - (b) that the development be restricted to single storey building, without a loft

- room;
- (c) that an amended Site Development Plan (indicating the 8 units) be submitted for approval;
 - (d) that the Guidelines be submitted to the Aesthetics/Heritage Committee for comment;
 - (e) that a demolition application be submitted to the Building Control Department for the existing building;
 - (f) that the structures must comply with National Fire Regulation – SANS 10400T:2011;
 - (g) that fire hydrants providing minimum of 1000 litres per minutes must be provided as required by SANS 10400T:2011 – Section 4.35.4;
 - (h) that all other parameters as prescribed in the Zoning Scheme be adhered to;
 - (i) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (j) that all the conditions in the Services Report be complied with;
 - (k) that Engineering Reports for storm water and electricity be submitted to the Engineering Services Department for approval; and
 - (l) that a Service Agreement be entered into between the Municipality and the developer.
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

RESPONSIBLE OFFICIAL :

H VAN DER STOEP

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2015

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2015

TARGET DATE TO INFORM OBJECTOR :

11 NOVEMBER 2015

15.

**ERF 213, 90 MARAIS STREET, FRANSKRAAL, OVERSTRAND MUNICIPAL AREA
: APPLICATION FOR RELAXATION OF RESTRICTIVE TITLE DEED CONDITION :
DT & JM WALLIS**

**Erf 213 GFK (2706)
SW van der Merwe
18 September 2015**

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

To consider an application for relaxation of a restrictive title condition received on 23 September 2014 from the owners of Erf 213, Franskraal, DT & JM Wallis, in order to accommodate the existing carport, which carport encroaches the 4m street- and 2m lateral building line up to the respective property boundaries.

RESOLVED:

that the application for the relaxation of restrictive title condition contained in the Title Deed of Erf 213, Franskraal (T13059/2005); paragraph C (20) in order to retain the existing carport, which carport encroach the 4,72m street- and 1,57m lateral building lines up to the respective erf boundaries, **be approved**, subject thereto that this approval is only for the relaxation of the building lines as indicated on Plan No. 358-008-2013, which was submitted with the application.

RESPONSIBLE OFFICIAL :

SW VAN DER MERWE

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2015

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2015

TARGET DATE TO INFORM OBJECTOR :

N/A

16.

DANGER POINT PRECINCT PLAN : CNDV AFRICA ON BEHALF OF OVERSTRAND MUNICIPALITY**Dangerpoint Precinct Plan (15/3/3/1)****SW van der Merwe****(028) 313 8900****Hermanus Administration****25 September 2015**

EXECUTIVE SUMMARY

The purpose of this report is to inform Council that in the report submitted to Council on 3 December 2014 for consideration of the Danger Point Precinct Plan a bona-fide administrative error occurred as the incorrect Annexure C was attached to the item. The correct annexure is now included as Annexure D to the item.

This item serves for Council to consider the information and to consider reaffirming the previous decision.

RECOMMENDATION TO THE COUNCIL:

that the content of Annexure D to the report (inputs received from the public and comments thereof from the consultants firm), **be noted** and Councils' decision to adopt the Danger Point Precinct Plan dated 3 December 2014 be reaffirmed.

RESPONSIBLE OFFICIAL :**S VAN DER MERWE****TARGET DATE FOR IMPLEMENTATION :****11 NOVEMBER 2015****TARGET DATE TO INFORM APPLICANT :****N/A****TARGET DATE TO INFORM OBJECTOR :****N/A**

17.
SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
FIRST QUARTERLY REPORT: JULY-SEPTEMBER 2015

2/12/1/1

R Louw

(028) 313 8071

Corporate Head Office

21 September 2015

REMARK :

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

The meeting adjourned at 10:36

DATE

N BOTHA-GUTHRIE – EXECUTIVE MAYOR