



**ORDINARY MEETING OF THE MAYORAL  
COMMITTEE**

**GEWONE VERGADERING VAN DIE  
BURGEMEESTERSKOMITEE**

**INTLANGANISO YESIQHELO YEKOMITI  
KASODOLOPHU**

**MINUTES / NOTULE /**

**IMIZUZU**

**DATE / DATUM / UMHLA : 2 DECEMBER / DESEMBER /  
DISEMBA 2016**

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

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

**TIME / TYD / IXESHA : 10:00**

# OVERSTRAND

MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA

## MINUTES OF AN ORDINARY MEETING OF THE MAYORAL COMMITTEE HELD IN THE BANQUETING HALL, CIVIC CENTRE, HERMANUS, ON 2 DECEMBER 2016, AT 10:00

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**PRESENT/ TEENWOORDIG**

Councillors were present as per attached attendance register.

**OFFICIALS PRESENT/  
AMPTENARE TEENWOORDIG**

Mr C Groenewald, Municipal Manager  
Ms S Reyneke-Naudé, Director : Finance  
Mr R Williams, Director : Community Services  
Mr S Madikane, Director : LED  
Ms D Arrison, Director : Management Services  
Mr N Michaels, Director : Protection Services  
Mr S Müller, Director : Infrastructure & Planning  
Mr C le Roux, Deputy Director : Finance  
Mr F Myburgh, Senior Manager : Gansbaai  
Administration  
Mr B King, Senior Manager : Financial Services  
Mr D Kearney, Senior Manager : Hermanus  
Administration  
Mr R Kuchar, Senior Manager : Town Planning &  
Property Management  
Mr L Smith, Chief : Fire & Rescue & Disaster  
Management  
Ms R Steenekamp, Media & Social Media  
Co-ordinator  
Mr A Gcotyelwa, Interpreter  
Ms S Swart: Administrative Officer : Council  
Support Services

**ALSO PRESENT:**

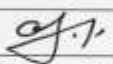
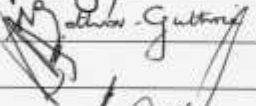


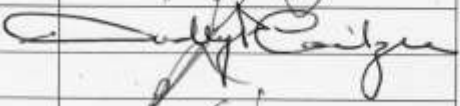











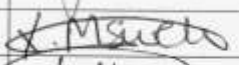
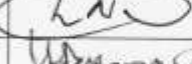




Members of the Public

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**MINUTES/.....**

OVERSTRAND MUNICIPALITY  
ATTENDANCE REGISTER

MAYORAL COMMITTEE MEETING  
2 DECEMBER 2016

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

**1. OPENING**

The meeting was opened with prayer by Cllr G Cohen.

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

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

**Cllr D Botha**

**RESOLVED**

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

**3. CONFIRMATION OF MINUTES**

- 3.1 Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 26 October 2016 at 10:00**

**RESOLVED**

that the Minutes of an **Ordinary Meeting** of the **Mayoral Committee** held on **Wednesday, 26 October 2016 at 10:00, be confirmed.**

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

The Executive Mayor, Ald R Smith, thanked all councillors and officials for their dedicated work before and after the 2016 Elections and he wished all a Blessed and Safe Festive Season. The Executive Mayor also reported that Cllr Parks Tau was elected as the new Chairperson for SALGA and he also referred to World Aids Day which was on 1 December 2016.

5.  
**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)  
POLICY: PARAGRAPH 36 16(1)(b) AND 17(1)(c) FOR OCTOBER 2016**

8/2/2

C Le Roux

(028) 313 8080

Corporate Head Office

08 November 2016

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**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council of all deviations from the Supply Chain Management Policy, approved by the delegated authority in terms of Paragraph 36 of the Supply Chain Management Policy, as well as approvals in terms of 16(1)(b) and 17(1)(c) for October 2016.

**RECOMMENDATION TO THE COUNCIL:**

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

**RESPONSIBLE OFFICIAL :**

**C LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**TO BE NOTED**

**PORTFOLIO COMMITTEE :**

**FINANCE**

**Chairperson :**

**Deputy Executive Mayor  
Ald D Coetzee**

**Committee Members :**

**Cllr F Africa, K Brice,  
S Tebele, X Msweli & B Molefe**

**PORTEFEULJEKOMITEE :**

**FINANSIES**

**Voorsitter :**

**Uitvoerende Onderburgemeester  
Rdl D Coetzee**

**Komiteelede :**

**Rdle F Africa, K Brice,  
S Tebele, X Msweli & B Molefe**

1.  
**WRITING OFF OF IRRECOVERABLE DEBT**

5/17/1

EM Hooneberg  
 17 Oktober 2016

(028) 313 8149

Corporate Head Office

**EXECUTIVE SUMMARY**

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

**RECOMMENDATION TO THE COUNCIL:**

that the irrecoverable debt to the value of R533 490.32 as listed, be written off as bad debt:

A	First time write off – Indigent Households	R118 834.07
B	Indigent water leakages irrecoverable	R342 073.32
C	Final accounts equal or less than R1,500.00	R3 252.64
D	Other irrecoverable Debt	R27 131.49
E	Interest & Collection Administration Fees	R42 198.80
	TOTAL	<u>R533 490.32</u>

**RESPONSIBLE OFFICIAL :**

**EM HOONEBERG**

**TARGET DATE FOR IMPLEMENTATION :**

**9 DECEMBER 2016**

**PORTFOLIO COMMITTEE :**

**MANAGEMENT SERVICES**

**Chairperson :**

**Cllr R de Coning**

**Committee Members :**

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

**PORTEFEULJEKOMITEE :**

**BESTUURSDIENSTE**

**Voorsitter :**

**Rdl R de Coning**

**Komiteelede :**

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



1.  
**OVERSTRAND JUNIOR TOWN COUNCIL FUNDING FOR 2016/17**

5/16/1/2

GG Smit

(028) 3138935

Corporate Head Office

25 October 2016

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**EXECUTIVE SUMMARY**

The purpose of this report is to request permission to deviate from the following provisions in the Grant-in-Aid Policy so as to enable the transfer of funds to Enlighten Education Trust for the management of the Overstrand Junior Town Council:

1. No transfer may be made which exceeds R 50,000.00;
2. Funding applications will only be considered on an annual basis in response to the annual advertisement; and
3. Only applications made on the prescribed form may be considered.

**RECOMMENDATION TO THE COUNCIL:**

1. that a deviation from the following restrictions in the Grant-in-Aid Policy **be approved:**
  - (a) no transfer may be made which exceeds R 50,000.00;
  - (b) funding applications will only be considered on an annual basis in response to the annual advertisement; and
  - (c) only applications made on the prescribed form may be considered.
2. that a transfer of R70,000.00 to Enlighten Education Trust for the Management of the Overstrand Junior Town Council, **be approved.**

**RESPONSIBLE OFFICIAL:**

**GG SMIT**

**TARGET DATE FOR IMPLEMENTATION:**

**DECEMBER 2016**

2.  
**RISK MANAGEMENT IMPLEMENTATION PLAN 2016/2017**

2/B

A Riddles  
17 October 2016

(028) 313 5044

Corporate Head Office

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**EXECUTIVE SUMMARY**

To obtain Council's approval for the Risk Management Implementation Plan for 2016/2017

**RECOMMENDATION TO THE COUNCIL:**

that the Risk Management Implementation Plan for 2016/2017 **be approved.**

**RESPONSIBLE OFFICIAL :**

**A RIDDLES**

**TARGET DATE FOR IMPLEMENTATION :**

**DECEMBER 2016**

3.  
**ANTI-CORRUPTION AND FRAUD PREVENTION PLAN 2016/2017**

5/17/B

A Riddles

(028) 313 5044

Corporate Head Office

17 October 2016

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**EXECUTIVE SUMMARY**

To obtain Council's approval for the Anti-Corruption and Fraud Prevention Plan for the financial year 2016-2017, that has been reviewed by the Risk Management Committee.

**RECOMMENDATION TO THE COUNCIL:**

that the reviewed Anti-Corruption and Fraud Prevention Plan **be approved**.

**RESPONSIBLE OFFICIAL :**

**A RIDDLES**

**TARGET DATE FOR IMPLEMENTATION :**

**DECEMBER 2016**

**PORTFOLIO COMMITTEE :**

**PROTECTION SERVICES**

**Chairperson :**

**Cllr R de Coning**

**Committee Members :**

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

**PORTEFEULJEKOMITEE :**

**BESKERMINGSDIENSTE**

**Voorsitter :**

**Rdl R de Coning**

**Komiteelede :**

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

1.  
**OPERATIONAL PLAN: HOLIDAY SEASON 2016/2017 : DIRECTORATE:  
PROTECTION SERVICES**

2/1

**N J Michaels**

**(028) 313 8054**

**Corporate Head Office**

**17 October 2016**

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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: 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 2016 to 25 January 2017 (the holiday season).

**RESOLVED:**

that the content of the Operational Plan: Holiday Season 2016/2017 which is to be executed by the Directorate: Protection Services, **be noted**.

**RESPONSIBLE OFFICIAL :**

**N MICHAELS**

**TARGET DATE FOR IMPLEMENTATION :**

**1 DECEMBER 2016**

2.

**QUARTERLY MONITORING REPORT FOR THE PERIOD JULY TO SEPTEMBER 2016: DIRECTORATE: PROTECTION SERVICES**

9/1/2/2

N J Michaels

(028) 313 8054

Corporate Head Office

17 October 2016

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**EXECUTIVE SUMMARY**

To report on the functioning and activities of the Directorate: Protection Services for the period July to September 2016.

**RESOLVED:**

that the Quarterly Monitoring Report of the functioning and activities of the Directorate: Protection Services for the period July to September 2016 **be noted**.

**RESPONSIBLE OFFICIAL :****N J MICHAELS****TARGET DATE FOR IMPLEMENTATION :****01 DECEMBER 2016**

**PORTFOLIO COMMITTEE :**

**COMMUNITY SERVICES**

**Chairperson :**

**Cllr A Komani**

**Committee Members :**

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

**PORTEFEULJEKOMITEE :**

**GEMEENSKAPSDIENSTE**

**Voorsitter :**

**Rdl A Komani**

**Komiteelede :**

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

1.  
**OPERATIONAL PLAN: HOLIDAY SEASON : 2016/2017**

2/1

R Williams  
21 October 2016

(028) 3138029

Corporate Head Office

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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 01 December 2016 until 10 January 2017.

**RESOLVED:**

that the content of the Operational Plan: Holiday Season: 2016/2017, 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 2016**



## 2.

**BENEFICIARIES: UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME (UISP): TRANSIT CAMP, ASAZANI AND NEW CAMP, ZWELIHLE**

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

19 October 2016

**EXECUTIVE SUMMARY**

This report is to inform the Executive Mayor of potential beneficiaries for the upgrading of the UISP project in Zwelihle, of which the following areas will be developed : Transit Camp, Asazani and New Camp and the relocation of qualifying beneficiaries to the 132 Breaking New Ground (BNG) housing units on Site C2, Swartdam Road.

**RESOLVED:**

1. the lists of 393 potential beneficiaries for the UISP : Transit Camp, Asazani, New Camp, Zwelihle, **be noted**;
2. that residents in informal settlements that are owners of properties elsewhere in Overstrand municipal area and the rest of the Republic of South Africa, not be allowed to participate in UISP but that the process **be implemented** to ensure that affected residents move to their original housing opportunity or alternative accommodation;
3. that the following methods will **be applied** with the relocation of beneficiaries in respect of UISP, namely:
  - (a) ordering according to the duration of residence in the informal settlement;
  - (b) selection of households who are affected by permanent disability; and
  - (c) ordering according to the age of adults in the core of the households.
4. that the following procedure for potential beneficiaries to finalise subsidy applications, **be approved**:
  - (a) that potential beneficiaries be given 30 days written notice to complete their subsidy application documentation;
  - (b) that potential beneficiaries that did not respond to the first notice (30 days) be given a final written notice of 7 days; and
  - (c) in the event of any applications not responding within the mentioned period of 7 days , the available housing opportunities be given to identified additional beneficiaries (replacements).

5. that rental agreements be concluded for available erven with beneficiaries not approved for subsidies in terms of the UISP.

**RESPONSIBLE OFFICIAL :**

**FW FRANS**

**TARGET DATE FOR IMPLEMENTATION :**

**01 DECEMBER 2016**

**3.  
STATUS OF PUBLIC LAUNCHING SITES (PLS): OVERSTRAND MUNICIPAL  
AREA**

**17/16/3**

**M Bartman**

**(028) 313 8972**

**Corporate Head Office**

**24 October 2016**

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**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council of the status of Public Launching Sites (PLS) registered for management by Overstrand Municipality and to obtain approval in order to recommend to the Provincial Minister (MEC) of Local Government, Environmental Affairs and Development Planning to consider the de-registration of particular PLS.

**RESOLVED:**

that the item **be referred back.**

**RESPONSIBLE OFFICIAL :**

**M BARTMAN**

**TARGET DATE FOR IMPLEMENTATION :**

**1 DECEMBER 2016**

4.  
**SUBSIDY APPLICATION ON PROCLAIMED MAIN ROADS FOR THE PERIOD  
01 JULY 2017 TO 30 JUNE 2018**

5/6/17

**M Bartman  
3 October 2016**

**(028) 313 8972**

**Corporate Head Office**

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**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 2017 to 30 June 2018.

**RESOLVED:**

that the subsidy application to be submitted to the Provincial Department of Roads and Transport for proclaimed main roads in Overstrand for the 2017/18 financial year in the amount of R218 632.00, **be supported.**

**RESPONSIBLE OFFICIAL :**

**M BARTMAN**

**TARGET DATE FOR IMPLEMENTATION :**

**NOVEMBER 2017**

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

**Chairperson :**

**Cllr E Gillion**

**Committee Members :**

**Cllrs G Cohen, L Ntsabo,  
S Tebele & C Tafu-Nwonkwo**

**PORTEFEULJEKOMITEE :**  
**EKONOMIESE ONTWIKKELING & TOERISME**

**Voorsitter :**

**Rdl E Gillion**

**Komiteelede :**

**Rdle G Cohen, L Ntsabo,  
S Tebele & C Tafu-Nwonkwo**

1.  
**ECONOMIC DEVELOPMENT AND TOURISM SERVICE DELIVERY AND ACTIVITY  
REPORT: JULY TO SEPTEMBER 2016**

9/1/2/2

**S Madikane**

**(028) 3138066**

**Corporate Head Office**

**2 December 2016**

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**EXECUTIVE SUMMARY**

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

**RESOLVED:**

that the Economic Development and Tourism Service Delivery and Activity Report **be noted.**

**RESPONSIBLE OFFICIAL :**

**X KOSI**

**TARGET DATE FOR IMPLEMENTATION :**

**2 DECEMBER 2016**

**PORTFOLIO COMMITTEE :  
INFRASTRUCTURE & PLANNING**

**Acting Chairperson :**

**Cllr E Gillion**

**Committee Members :**

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

**PORTEFEULJEKOMITEE :  
INFRASTRUKTUUR & BEPLANNING**

**Waarnemende Voorsitter :**

**Rdl E Gillion**

**Komiteelede :**

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

**CLLR E GILLION ACTED AS CHAIRPERSON ON BEHALF OF CLLR D BOTHA****1.  
TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS  
CONSIDERED IN TERMS OF DELEGATED AUTHORITY : SEPTEMBER 2016 –  
OCTOBER 2016**

15/3/11

R van Antwerp  
24 October 2016

(028) 313 8039

Hermanus Administration

**EXECUTIVE SUMMARY**

To report on applications disposed of by the Senior Manager : Town- & Spatial Planning during the period from 23 September 2016 – 20 October 2016.

**RESOLVED:**

that **cognisance be taken** of the town planning applications in terms of the Land Use Planning Ordinance (LUPO) disposed of by the Senior Manager : Town- & Spatial Planning and in terms of the Spatial Planning Land Use Management Act (SPLUMA) disposed of by the Authorised Official (AO) in terms of delegated authority for the period 23 September 2016 – 20 October 2016:

Land Use Planning Ordinance (LUPO) Approvals

- |    |                                                           |                 |
|----|-----------------------------------------------------------|-----------------|
| 1. | Erf 559, Pearly Beach                                     | 24 October 2016 |
| 2. | Port 50 of Farm No. 587 Hemel-en-Aarde Valley             | 24 October 2016 |
| 3. | Erf 268, Stanford                                         | 24 October 2016 |
| 4. | Portion 3 of the farm Springfontein No. 641               | 24 October 2016 |
| 5. | Portion 8 of the farm Spookfontein, Hemel-en-Aarde Valley | 24 October 2016 |

Spatial Land Use Management Act (SPLUMA) Approvals

- |     |                                       |                   |
|-----|---------------------------------------|-------------------|
| 1.  | Erf 7161, Hermanus                    | 27 September 2016 |
| 2.  | Erf 9902, Hermanus                    | 27 September 2016 |
| 3.  | Erf 6180, Kleinmond                   | 29 September 2016 |
| 4.  | Erf 4180, Onrustrivier                | 6 October 2016    |
| 5.  | Erf 4094, Onrustrivier                | 6 October 2016    |
| 6.  | Erf 1462, Sandbaai                    | 6 October 2016    |
| 7.  | Erven 1101, 1102 & 1196, Van Dyksbaai | 6 October 2016    |
| 8.  | Erf 2212, Pearly Beach                | 24 October 2016   |
| 9.  | Erf 2500, Pearly Beach                | 24 October 2016   |
| 10. | Erf 1926, Gansbaai                    | 24 October 2016   |
| 11. | Erf 122, De Kelders                   | 24 October 2016   |



**RESPONSIBLE OFFICIAL :**

**R VAN ANTWERP**

**TARGET DATE FOR IMPLEMENTATION :**

**14 DECEMBER 2016**

**TARGET DATE TO INFORM APPLICANT :**

**N/A**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

2.

ERF 2449, 21 LEERVIS STREET, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : HM LE ROUX ON BEHALF OF MORGAN CREEK PROPERTIES 346 (EDMS) BEPERK

2449 GPB (3154)

H Boshoff

4 October 2016

(028) 313 8900

Hermanus Administration

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### EXECUTIVE SUMMARY

To consider an application received on 4 December 2015 from the owner of Erf 2449, Pearly Beach for departures from the Pearly Beach Resort Development Rules in order to:

- encroach the 1m northern lateral building line of the property with 900mm;
- exceed the height applicable to boundary walls; and
- provide on (1) parking bay on the property instead of the required two (2) parking bays.

### RESOLVED:

1. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)(LUPO), the application for departures from the Pearly Beach Holiday Resort Development Rules applicable to Erf 2449, Pearly Beach in order to encroach the 1m northern lateral building line with approximately 900mm as a result of an open carport that was enclosed to create an entrance portal, and to provide only one (1) parking bay instead of the required two (2) parking bays, **be refused**, for the following reasons:
  - (a) the applicant did not provide any substantive or justifiable reasons to deviate from the applicable development rules, nor does the reasons provided permit the situation to be regarded as being unique/exceptional in nature; and
  - (b) the approval will set an undesirable precedent, the cumulative impact of which will detract from the character and appearance of the surrounding area.

2. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)(LUPO), the application for departure from the Pearly Beach Holiday Resort Development Rules applicable to Erf 2449, Pearly Beach in order to deviate from the height restrictions applicable to the boundary walls, **be approved**, for only that section at the northern boundary of the property, for the following reasons:
  - (a) that section at the northern lateral boundary of the property can be regarded as a fire risk to both the dwellings of Erven 2449 and 2445, due to their close proximity (approximately 600mm) to each other; and
  - (b) the applicant did not provide any substantive or justifiable reasons to deviate from the applicable development rules pertaining to the remainder of the boundary walls in front of the property, nor does the reasons provided permit the situation to be regarded as being unique/exceptional in nature;
3. that the applicant/landowner be instructed to convert the illegal entrance portal back to a carport in order to provide two (2) parking bays in terms of the applicable development rules;
4. that the applicant/landowner be instructed to demolish the remainder (excluding the approval in 2. above) of the boundary walls at the front of the property to the extent that it conforms to the requirements of the applicable development rules;
5. that the instructions in 3. and 4. be fully completed within **60 days** from the final date of the decisions of this application;
6. that immediately upon completion of the instructions in 3. and 4. above, the applicant/landowner must submit "as built" building plans that comply with the applicable development rules to the Building Department of the Municipality for approval;
7. 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 decisions; and
8. that the committee of the Home Owners' Association of the Pearly Beach Holiday Resort be requested to abide by their objectives as set out in their approved constitution and development rules by monitoring activities within the resort and to without ado report any illegal activities to the Municipality.

<b>RESPONSIBLE OFFICIAL :</b>	<b>H BOSHOFF</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>14 DECEMBER 2016</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>14 DECEMBER 2016</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

3.

**ERF 2500, 1 DEMPERS STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE AND REMOVAL OF RESTRICTION : MESSRS PLAN ACTIVE ON BEHALF OF C JUDGE AND J CAMPBELL**

2500 HON (3093)

H Olivier

18 July 2016

(028) 313 8900

Hermanus Administration

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**EXECUTIVE SUMMARY**

An application has been received on 26 October 2015 from Messrs Plan Active on behalf of the property owners, C Judge and J Campbell, on Erf 2500, Onrustrivier for a consent use in order to operate five (5) bedroom guest house on the property concerned.

Application is also made for a removal of restrictive Title Deed condition applicable to Erf 2500, Onrustrivier to enable the owner to remove some restrictive conditions limiting the land use on the property from the Title Deed.

**RESOLVED:**

1. that, in terms of the Removal of Restrictions Act 84 of 1967, the removal of restrictive title conditions C(b) and (c) in Title Deed T67268/2014 applicable to Erf 2500, Onrustrivier to enable the owner to operate a guest house from the property **be recommended for approval** by the Provincial Government : Western Cape;
2. that, subject to the approval in 1. above, 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 2500, Onrustrivier to operate a five (5) bedroom guesthouse on the property concerned, **be approved**, subject further to the following conditions:
  - (a) that the facility be utilized as a **guesthouse only**;
  - (b) that a maximum of five (5) bedrooms to be let, be permitted;
  - (c) that the owner/manager resides on the premises;
  - (d) that the guesthouse is utilized as such - no self-catering will be permitted;

- (e) that no facilities (bar/restaurant or any other) be provided for non-residents of the accommodation establishment and that these facilities only be used by bona-fide guests of the establishment;
- (f) that the selling or serving of liquor on the premises will be subject to the applicant obtaining the necessary liquor licence;
- (g) that a revised site plan be submitted showing the five (5) bedrooms to be utilized for guest room purposes, and also a revised parking layout to the satisfaction of the Manager : Engineering Department;
- (h) that a minimum of one (1) permanently demarcated parking bay per guest room (as indicated on the Site Plan submitted) and two (2) for the owner/manager be provided within the erf boundaries;
- (i) that commercial rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
- (j) that the accommodation facility complies with Health and Safety Legislation and that this approval will be subject to regular inspections by the Fire Control Co-ordinator and the Health Inspector;
- (k) that a single non-illuminated sign that complies with the Municipal By-Law on signage, may be displayed on the premises;
- (l) that Council reserves the right to rescind this approval without payment of compensation should any justified objection be received to the manner in which the guesthouse is conducted or should the operation of the guesthouse be found to be detrimental to the peacefulness and amenity of the surrounding area;
- (m) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
- (n) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation,
- (o) that should any building alterations be required building plans should be submitted to the Building Department for approval;

- (p) that all the conditions in the Services Report be complied with; and
  - (q) that a site plan be submitted showing the five (5) rooms that will be utilized for guest rooms, for record purposes.
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 :**

**12 DECEMBER 2016**

**TARGET DATE TO INFORM APPLICANT :**

**12 DECEMBER 2016**

**TARGET DATE TO INFORM OBJECTORS :**

**12 DECEMBER 2016**

## 4.

**PORTION 184 OF THE FARM BAARDSCHEERDERS BOSCH NO. 213, DIVISION BREDASDORP, OVERSTRAND MUNICIPAL AREA : PROPOSED REZONING AND SUBDIVISION : AC & HJ SWART**

184/213 BBOS (3012)

SW van der Merwe

(028) 313 8900

Hermanus Administration

4 October 2016

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**EXECUTIVE SUMMARY**

To consider an application received on 4 August 2015 from the registered owners of Portion 184 of the Farm Baardscheerders Bosch No. 213, Division Bredasdorp, AC & HJ Swart, for the following:

- rezoning from Agricultural Zone 1: Agriculture (AR1) to Rural Zone 1: Agricultural Smallholding (R1); and
- subdivision into three (3) portions, namely Portion A ( $\pm 4062\text{m}^2$ ), Portion B ( $\pm 4062\text{m}^2$ ) and Portion C ( $\pm 4062\text{m}^2$ ) in extent.

**RESOLVED:**

1. that the application for the rezoning of Portion 184 of the Farm Baardscheerders Bosch No. 213, Division Bredasdorp from Agricultural Zone 1: Agriculture to Rural Zone 1: Agricultural Smallholding and the subsequent subdivision into three (3) portions, namely Portion A ( $4062\text{m}^2$ ), Portion B ( $4062\text{m}^2$ ) and Portion C ( $\pm 4062\text{m}^2$ ) in extent, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is valid for a five (5) year period only;
  - (d) that a right of way servitude, minimum 6m wide, be registered over the subdivided portions simultaneously with the registration of the subdivision in favour of the public;
  - (e) that the conditions contained in the Services Report be complied with; and
  - (f) that the requirements of Eskom, Department of Transport and Public Works, Cape Nature, Department of Environmental Affairs and Development Planning, Provincial Department of Agriculture, National Department of Agriculture and Heritage Western Cape be complied with.



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 :** **S VAN DER MERWE**

**TARGET DATE FOR IMPLEMENTATION :** **14 DECEMBER 2016**

**TARGET DATE TO INFORM APPLICANT :** **14 DECEMBER 2016**

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

5.

**HERMANUS: IN PRINCIPLE APPROVAL FOR THE ALIENATION OF A PORTION OF ERF 243, MOUNTAIN DRIVE, NORTHCLIFF, HERMANUS TO GJ & E FOURIE**

7/2/3/2

Anja Kotze

(028) 316 - 3724

Hermanus Administration

12 October 2016

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**EXECUTIVE SUMMARY**

To obtain approval in principle for the direct alienation of a portion of Erf 243 Hermanus,  $\pm 126\text{m}^2$ , to the owner of Erf 4453 Hermanus (8 Mountain Drive), Mr GJ & Mrs E Fourie.

**RECOMMENDATION TO THE COUNCIL:**

1. that the direct alienation of a portion of Erf 243 Hermanus (adjacent to Erf 4453 Hermanus),  $\pm 126\text{m}^2$  in extent, for the erection of a boundary wall to the owners of the adjoining erf, Mr GJ & Mrs E Fourie, at an amount of R698.00 (SIX HUNDRED AND NINETY EIGHT RAND PER SQUARE METRE) (VAT excluded) be **approved in principle**;
2. that Council take cognisance of the fact that the direct alienation is only approved as the subject portion of Erf 243 Hermanus is classified as a non-viable property;
3. that the abovementioned approval in principle be subject to a public participation process being followed due to the non-viability of the property;
4. that the subject portion of Erf 243 Hermanus must be consolidated with the adjoining property of Mr GJ & Mrs E Fourie, being Erf 4453 Hermanus;
5. that the alienation of the subject portion of Erf 243 Hermanus, be subject to obtaining the necessary closure, subdivision, rezoning and consolidation approvals;
6. that all the costs pertaining to the transaction, e.g. valuation costs, subdivision, consolidation, closure of public road, rezoning, transfer and related costs, advertisements, etc., be paid by the purchaser;
7. that the purchaser must contact the Electrical Department to point out the position of electrical cables before any trenching commences for the foundation of the wall to be built by the purchaser;

8. that it is confirmed that Council has taken cognisance of the fact that the Municipal property herewith 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); and
9. that the Municipal Manager be authorised to sign all documents relating to the alienation and transfer of the subject portion of Erf 243 Hermanus.

<b>RESPONSIBLE OFFICIAL :</b>	<b>A KOTZE</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>PROCESS</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>9 DECEMBER 2016</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

6.

**GANSBAAI: RESCISSION OF CONDITIONS 2, 3 AND 4 OF COUNCIL RESOLUTION DATED 29 SEPTEMBER 2010 FOR THE ALIENATION OF A PORTION OF ERF 611 GANSBAAI AS WELL AS OBTAINING IN PRINCIPLE APPROVAL FOR THE ALIENATION OF TWO PORTIONS OF ERF 611 GANSBAAI BY MEANS OF A COMPETITIVE PROCESS**

7/2/3/2/

A Kotze

(028) 316 - 3724

Hermanus Administration

14 October 2016

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### EXECUTIVE SUMMARY

To obtain approval for the rescission of conditions 2, 3 and 4 of Council resolution dated 29 September 2010 for the alienation of a portion of Erf 611 Gansbaai. The main reason for the rescission is due to further conditions that are going to be imposed on the alienation and to make provision for a new valuation of the property.

To obtain approval in principle for the alienation of two portions of Erf 611 Gansbaai ( $\pm 2.25$ ha in extent), being unregistered Erf 3905 (a portion of Erf 611) Gansbaai ( $\pm 1$ ha in extent) and Portion A (a portion of Erf 611) Gansbaai ( $\pm 1.25$ ha in extent) by means of a competitive process.

### RECOMMENDATION TO THE COUNCIL:

1. that conditions 2, 3 and 4(a) and (b) of Council resolution dated 29 September 2010, **be rescinded**;
2. that the alienation of unregistered Erf 3905 (a portion of Erf 611) Gansbaai ( $\pm 1$ ha in extent) and Portion A (a portion of Erf 611) Gansbaai ( $\pm 1.25$ ha in extent) by means of a competitive process at a market related purchase price **be approved in principle**;
3. that unregistered Erf 3905 (a portion of Erf 611) Gansbaai be consolidated with Portion A (a portion of Erf 611) Gansbaai at the cost of the purchaser;
4. that all the costs pertaining to the transaction, e.g. section 14 advertisement, consolidation, transfer and related costs, water- and sewer connections (if applicable), bulk services contribution (if applicable), etc., excluding the valuation costs, be paid by the purchaser;
5. that the costs relating to the necessary advertisement in terms of Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003) be paid by the purchaser;

6. that it is confirmed that Council has taken cognisance of the fact that the Municipal property herewith alienated is not required for the provision of basic municipal services in terms of the provisions of Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003); and
7. that the Municipal Manager be authorised to sign all documents relating to the alienation and transfer of unregistered Erf 3905 (a portion of Erf 611) Gansbaai (± 1ha in extent) and Portion A (a portion of Erf 611) Gansbaai (±1.25ha in extent).

**RESPONSIBLE OFFICIAL :**

**A KOTZE**

**TARGET DATE FOR IMPLEMENTATION :**

**IN PROCESS**

**TARGET DATE TO INFORM APPLICANT :**

**N/A**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

7.  
**RELOCATION PLAN FOR MANDELA SQUARE, INFORMAL SETTLERS ON QHAYIYA SECONDARY SCHOOL TO HOUSING ADMIN SITE TEMPORARY RELOCATION AREA (TRA)**

17/5/5/2/5

A Jacobs

(028) 313 5075

Hermanus Administration

19 October 2016

**EXECUTIVE SUMMARY**

The purpose of the report is to provide Council with an update regarding the progress on the Zwelihle Upgrading of Informal Settlements Project (UISP) with reference to the phasing of the project and specifically focusing on the first phase which consists of the upgrading of Mandela Square and subsequent relocation of those families staying on Mandela Square to the Housing Admin Site Temporary Relocation Area (TRA) as well as those informal settlers currently residing on a portion of the Qhayiya Secondary School in Zwelihle. For the implementation of this first phase a proposed "Relocation Plan" has been compiled, which will also form part of this report.

**RESOLVED:**

1. that the progress and phases of the Zwelihle Upgrading of Informal Settlements Program as depicted, **be noted**;
2. that the Relocation Plan for the implementation of the first phase of the Zwelihle UISP program **be approved**;
3. that, given the provision of communal services, **residents not be charged for services** (water, sanitation & refuse) except for the purchasing of pre-paid electricity services; and
4. that **no rental** for the temporary units to be occupied by informal settlement residents, **be levied**.

**RESPONSIBLE OFFICIAL :**

**A JACOBS**

**TARGET DATE FOR IMPLEMENTATION :**

**15 DECEMBER 2016**

**TARGET DATE TO INFORM APPLICANT:**

**N/A**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

8.  
**PROPOSED AREA NAME & STREET NAMES: GARDEN SITE HOUSING DEVELOPMENT**

**Zwelihle, Hermanus**

**A Jacobs**

**(028) 313 5075**

**Hermanus Administration**

**19 October 2016**

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**EXECUTIVE SUMMARY**

The Executive Mayor approved the Land Use Planning application (Consolidation, Rezoning and Subdivision) for the first phase of the Zwelihle Upgrading of Informal Settlement Project (UISP) on a portion of Erf 316 and Unregistered Erven 197 to 207, Garden Site, Zwelihle, Hermanus, on 15 January 2014. The purpose of this report is to submit a proposed area name and street names for the development.

**RESOLVED:**

1. that the Garden Site Housing Development Area be named “Mshenxiswa Village”;  
and
2. that the proposed street names for the area, to wit
  - Zola Street
  - Rose Street
  - Lily Street
  - Protea Street
  - Orchid Street
  - Sunflower Street
  - Daisy Street

as set out on the layout plan, **be approved**

**RESPONSIBLE OFFICIAL :**

**A JACOBS**

**TARGET DATE FOR IMPLEMENTATION :**

**NOVEMBER 2016**

**9.  
INTEGRATED ENVIRONMENTAL MANAGEMENT SYSTEM: OVERSTRAND  
MUNICIPALITY**

**17/17/B**

**P Aplon**

**(028) 3163724**

**Corporate Head Office**

**15 August 2016**

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**EXECUTIVE SUMMARY**

The purpose of this report is to table the Integrated Environmental Management System (IEMS), which consists of Environmental Management Plan and a series of "Environmental Procedure" documents for approval by Council.

**RECOMMENDATION TO THE COUNCIL:**

1. that the Integrated Environmental Management System consisting of the Integrated Environmental Management Plan for Overstrand Municipality, **be approved**; and
2. that the Integrated Environmental Management System, consisting of the Integrated Environmental Management Plan for Overstrand Municipality be included in the Integrated Development Plan as Sectoral Plan.

**RESPONSIBLE OFFICIAL:**

**P APLON**

**TARGET DATE FOR IMPLEMENTATION:**

**12 DECEMBER 2016**

**The meeting adjourned at 09:40**

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**DATE**

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**R SMITH – EXECUTIVE MAYOR**