



KAAP AGULHAS MUNISIPALITEIT
CAPE AGULHAS MUNICIPALITY
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N BURGEMEESTERSKOMITEE VERGADERING GEHOU OM 09:00 OP
DINSDAG 24 OKTOBER 2017 IN DIE MUNISIPALE RAADSAAL TE BREDASDORP**

**MINUTES OF A MAYORAL COMMITTEE MEETING HELD ON TUESDAY, 24 OCTOBER 2017
AT 09:00 IN THE MUNICIPAL COUNCIL CHAMBERS, BREDASDORP**

RAADSLEDE

MNR	P J SWART	Uitvoerende Burgemeester
ME	Z TONISI	Uitvoerende Onder-Burgemeester
MNR	G D BURGER	Lid van die Uitvoerende Burgemeesterskomitee
ME	M OCTOBER	Lid van die Uitvoerende Burgemeesterskomitee
ME	E SAULS	Raadslid (op uitnodiging van die Uitvoerende Burgemeester)

AMPTENARE

Mnr D O'Neill	Munisipale Bestuurder
Mnr J Jamneck	nms Direkteur: Finansies- en IT Dienste
Mnr K Mrali	Direkteur: Bestuursdienste
Mnr S Cooper	Bestuurder: Elektrotegniese Dienste
Mnr B Hayward	Bestuurder: Stads- en Streeksbeplanning
Mnr G M Moelich	Bestuurder: Administrasie
Me N Mhlali-Musewe	Divisional Head: HR Services & Organisational Development
Me T Stone	Divisional Head: Strategic Planning & Administration
Mnr B Swart	Interne Ouditeur
Mnr F du Toit	Bestuurder: Boubeheer

1. **OPENING**

Die Burgemeester heet die teenwoordiges welkom en Raadslid Tonisi open die vergadering met gebed.

2. **AANSOEKE OM VERLOF TOT AFWESIGHEID / APPLICATIONS FOR LEAVE**

Mnr	J Nieuwoudt	Raadslid
Mnr	H van Biljon	Direkteur: Finansies en IT Dienste

3. **ONDERHOUDE MET AFGEVAARDIGDES EN/OF ANDER BESOEKE**

Mr's Wust, Kruger and Sipoxo of Department of Environmental Affairs and Development Planning introduced Council to the RSEP (regional, social, economic programme) and VPUU (violence, prevention through urban upgrading programme).

They referred to the work streams, the reconstruction framework as a tool kit, previous phases (3 municipalities), identification of opportunities and further commitments from Cape Agulhas Municipality. They informed Council of the co-funding from Western Cape Province for the implementation of projects.

RESOLUTION BK183/2017

- (i) That the Committee support the RSEP and VPUU projects.
- (ii) That the Municipal Manager be delegated to sign all relevant documentation and to give regular feedback to Council.

4. **NOTULES VAN VORIGE VERGADERINGS VOORGELê VIR BEKRAGTING**

4.1 **NOTULE VAN BURGEMEESTERSKOMITEE VERGADERING GEHOU OP:**

19 September 2017

BESLUIT BK184/2017

Bogenoemde Notule word as korrek en volledig bekragtig.

5. **SAKE VOORTSPRUITEND UIT NOTULE**

Geen.

6. **VERKLARINGS EN/OF MEDEDELINGS DEUR DIE VOORSITTER**

6.1 **BRIEWE VAN DANK**

Geen.

6.2 **FUNKSIES VIR DIE MAAND**

Kennis word gegee van 'n strategiese beplanningssessie wat op 13 en 14 November 2017 by Arniston Hotel sal plaasvind.

7. **VERSLAE**

Bladsy

7.1 **VERSLAG VAN DIE INFRASTRUKTUURDIENSTE KOMITEE**

7.1.1 **Elektrotegniese Dienste / *Electro Technical Services***

Maandverslag: September 2017

4

7.1.2 **Infrastruktuurdienste / *Infrastructure Services***

Maandverslag: September 2017

4 - 5

7.1.3 **Refund: Portion of billed electricity, 21 Uitkyk Street, Bredasdorp**

5 - 6

Bladsy

7.2 **VERSLAG VAN DIE BESTUURSDIENSTE KOMITEE**

7.2.1 **Direkteur: Bestuursdienste / Director: Management Services**

Maandverslag: Septemer 2017

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7.2.2 **Kantoor van die Munisipale Bestuurder / Office of the Municipal Manager**

Maandverslag: September 2017

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7.2.3 Adoption of the reviewed Mayor's External Bursary Policy

7 - 8

7.3 **VERSLAG VAN DIE FINANSIES- EN IT DIENSTE KOMITEE**

7.3.1 Maandverslae: September 2017

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7.3.2 Quarterly Supply Chain Management Implementation and Oversight Report for the period ended 30 September 2017

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7.3.3 Waardasie Appèlraad: Aanwys van lede

9 - 12

7.3.4 Amendment: By-Law on Municipal Land Use Planning

12 - 13

7.3.5 Appeal: Departure of building lines: Erf 1377, Napier

13 - 18

7.3.6 Hersonerig, Onderverdeling en Fasering: Erf 857, Struisbaai

19 - 31

8. **DRINGENDE SAKE DEUR DIE MUNISIPALE BESTUURDER**

Geen.

9. **OORWEGING VAN KENNISGEWING VAN MOSIES**

Geen.

10. **OORWEGING VAN KENNISGEWING VAN VRAE**

Geen.

11. **OORWEGING VAN DRINGENDE MOSIES**

Geen.

12. **VERSLAG DEUR MUNISIPALE BESTUURDER OOR DIE UITVOERING VAN UBK BESLUIE**

Lys van onafgehandelde besluite word aangeheg op **bladsy 32**.

13. **IN-KOMITEE VERSLAE**

Die In-Komitee items word vertroulik bespreek.

14. **SLUITING**

Die vergadering verdaag om 12:10

7. VERSLAE

7.1 INFRASTRUKTUURDIENSTE KOMITEE / INFRASTRUCTURE SERVICES COMMITTEE

7.1.1 VERSLAG VAN DIE BESTUURDER: ELEKTROTEGNIESE DIENSTE VIR SEPTEMBER 2017 / REPORT FROM THE MANAGER: ELECTRO TECHNICAL SERVICES FOR SEPTEMBER 2017

DOEL VAN VERSLAG

Oorweging van die maandverslag vanaf die Bestuurder: Elektrotegniese Dienste vir September 2017.

AGTERGROND

Verslag word aangeheg op *bladsy 1 tot 10*.

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag van die Bestuurder: Elektrotegniese Dienste vir September 2017 aanvaar word.
That the monthly report from the Manager: Electro Technical Services for September 2017 be accepted.

AANBEVELING: INFRASTRUKTUURDIENSTE KOMITEE / RECOMMENDATION: INFRASTRUCTURE SERVICES COMMITTEE

Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*

BESLUIT BK185/2017

Dat die Infrastruktuurdiens Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

7.1.2 VERSLAG VAN DIE AFDELING INFRASTRUKTUURDIENSTE VIR SEPTEMBER 2017 / REPORT FROM THE DIVISION INFRASTRUCTURE SERVICES FOR SEPTEMBER 2017

DOEL VAN VERSLAG

Oorweging van die maandverslag van die afdeling Infrastruktuurdiens vir September 2017.

AGTERGROND

Verslae word soos volg aangeheg:

	<u>Bladsy / Page</u>
(i) Infrastruktuurdiens / <i>Infrastructure Services</i>	11 - 20
(ii) Boubeheer / <i>Building Control</i>	21 - 26

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag van die afdeling Infrastruktuurdiens vir September 2017 aanvaar word.
That the monthly reports from the division Infrastructure Services for September 2017 be accepted.

AANBEVELING: INFRASTRUKTUURDIENSTE KOMITEE / RECOMMENDATION: INFRASTRUCTURE SERVICES COMMITTEE

- (i) Dat die Bestuursaanbeveling aanvaar word.
- (ii) Dat daar voor die eerskomende Komitee vergadering 'n werkwinkel gereël word om die huidige water krisis in ons area te bespreek.

BESLUIT BK186/2017

- (i) Dat die Infrastruktuurdienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.
- (ii) Dat 'n volledige herwinningsplan vir Kaap Agulhas aan die Raad voorgelê word teen Februarie 2018.

7.1.3 REFUND OF A PORTION OF BILLED ELECTRICITY 21 UITKYK STREET, BREDASDORP

PURPOSE OF REPORT

Refund of a portion of electricity usage billed at 21 Uitkyk Street, Bredasdorp incurred due to a hot water pipe leak inside the cavity wall of the structure.

BACKGROUND

A request has been received from mr. R Ahrends concerning the high electricity usage billed to him during the period, August 2016 to May 2017.

The usage was incurred due to a faulty hot water pipe within the cavity wall of his house and was only discovered when it deteriorated to a level that the walls became wet. The meter was changed during this time, due to a complaint from him and the current draw on the house was measured and the Municipal officials informed him that it appeared to be a fault with the geyser. This dwelling is the property of the South African Air Force, and their electrician tested the geyser and found it to be fully functional.

The reason for the high electricity usage is due to the fact that the hot water leak resulted in the permanent infeed of cold water into the geyser, which resulted in the geyser remaining on for long periods of time to attain thermostat temperature. The resident is requesting assistance due to the large usage billed to him due to this fault.

As can be seen from the table, the extra usage was billed on the top portion of the inclining block tariff, resulting in the large amounts billed to him. The average consumption was calculated by using statistical data for the eight months prior to the increased consumption and the three months after the fault was rectified.

The request is to bill this consumption on the lower block tariff as the electricity has been used and the Municipality has paid Eskom for these units.

Table 1 Account calculations:

MONTH	METERED CONSUMPTION	AVERAGE CONSUMPTION	DIFFERENCE	PER UNIT TARIFF >600	REFUND DIFFERENCE UNIT VALUE	REBILL AT 1 - 50kwhR TARIFF	REBILLED AMOUNT	VALUE OF REFUND AMOUNT
Aug-16	1258	589	669	1.8633	1246.5477	0.857	573.333	673.2147
Sep-16	1012	589	423	1.8633	788.1759	0.857	362.511	425.6649
Oct-16	1387	589	798	1.8633	1486.9134	0.857	683.886	803.0274
Nov-16	1796	589	1207	1.8633	2249.0031	0.857	1034.399	1214.6041
Dec-16	1768	589	1179	1.8633	2196.8307	0.857	1010.403	1186.4277
Jan-17	1498	589	909	1.8633	1693.7397	0.857	779.013	914.7267
Feb-17	1759	589	1170	1.8633	2180.061	0.857	1002.69	1177.371
Mar-17	2296	589	1707	1.8633	3180.6531	0.857	1462.899	1717.7541
Apr-17	2179	589	1590	1.8633	2962.647	0.857	1362.63	1600.017
May-17	2414	589	1825	1.8633	3400.5225	0.857	1564.025	1836.4975
TOTAL					21385.0941		9835.789	11549.3051

LEGAL IMPLICATION

Municipal Systems Act No 32 of 2000 Chapter 2 s.4(c)

FINANCIAL IMPLICATION

A refund to the residents services account of R11 549,31

PERSONNEL IMPLICATION

None.

MANAGEMENT RECOMMENDATION

- (i) That the resident be assisted in this matter and the amount of R11 549,31 be credited against his account.
- (ii) That a policy, as is the case with undetected water losses, be developed for undetected electricity losses, be developed for approval by Council.

RECOMMENDATION: INFRASTRUCTURE SERVICES COMMITTEE

That Management's recommendation be accepted.

RESOLUTION BK187/2017

That the recommendation of the Infrastructure Services Committee be accepted as resolution of the Mayoral Committee.

7.2 BESTUURSDIENSTE KOMITEE / MANAGEMENT SERVICES COMMITTEE

7.2.1 VERSLAE VAN DIE DIREKTEUR: BESTUURSDIENSTE VIR SEPTEMBER 2017 / REPORTS FROM THE DIRECTOR: MANAGEMENT SERVICES FOR SEPTEMBER 2017

DOEL VAN VERSLAG

Oorweging van die maandverslag vanaf die Direkteur: Bestuursdienste vir September 2017.

AGTERGROND

Verslae word soos volg aangeheg:

	<u>Bladsy / Page</u>
(i) Publieke Dienste / Public Services	27 - 34
(ii) Behuising / Housing	35 - 38
(iii) Biblioteekdienste / Library Services	39 - 44
(iv) Beskermingsdienste / Protection Services	45 - 52

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag van die Direkteur: Bestuursdienste vir September 2017 aanvaar word.
That the monthly report from the Director: Management Services for September 2017 be accepted.

AANBEVELING: BESTUURSDIENSTE KOMITEE / RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE

Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*

BESLUIT BK188/2017

Dat die Bestuursdienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

7.2.2 **VERSLAE UIT DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER VIR SEPTEMBER 2017**
REPORTS FROM THE OFFICE OF THE MUNICIPAL MANAGER FOR SEPTEMBER 2017

DOEL VAN VERSLAG

Oorweging van die maandverslae uit die kantoor van die Munisipale Bestuurder vir September 2017.

AGTERGROND

Verslae word soos volg aangeheg:	<u>Bladsy / Page</u>
(i) Menslike Ontwikkeling / <i>Human Development</i>	53 - 57
(ii) Sosio Ekonomiese Dienste / <i>Socio Economic Services</i>	58 - 68

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslae uit die kantoor van die Munisipale Bestuurder vir September 2017 aanvaar word.
That the monthly reports from the office of the Municipal Manager for September 2017 be accepted.

AANBEVELING: BESTUURSDIENSTE KOMITEE / RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE

Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*

BESLUIT BK189/2017

Dat die Bestuursdienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

7.2.3 **ADOPTION OF THE REVIEWED MAYOR'S EXTERNAL BURSARY POLICY**

PURPOSE OF REPORT

To solicit Council to adopt the reviewed Mayor's External Bursary Policy, as attached on **page 69 to 74**.

BACKGROUND

The Mayor's External Policy is aimed at awarding bursaries to prospective students residing in the Cape Agulhas Municipal area, in compliance with the Employment Equity Act, Skills Development Act and other relevant legislation as determined by council. It also aims to increase the level of education and training, growth and development and enhancement of human resource development.

The following courses were added to the list of study fields:

1. Sport and Recreation
2. Arts and Culture
3. Business Studies
4. Legal studies
5. Political Studies
6. Public Administration
7. Community Safety
8. Marine Biology
9. Agriculture

FINANCIAL IMPLICATIONS

The bursary allocation will be paid from Council's budget for none employees.

PERSONNEL IMPLICATIONS

HR Department will administrate the process for the external bursaries.

MANAGEMENT RECOMMENDATION

That Council approves and adopt the reviewed Mayor's External Bursary Policy.

RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE

That Management's recommendation be accepted.

RESOLUTION BK190/2017

That the recommendation of the Management Services Committee be accepted as resolution of the Mayoral Committee.

7.3 **FINANSIES- EN IT DIENSTE KOMITEE / FINANCE- AND IT SERVICES COMMITTEE**

7.3.1 **MAANDVERSLAG: FINANSIES- EN IT DIENSTE VIR SEPTEMBER 2017 / MONTHLY REPORT: FINANCE- AND IT SERVICES FOR SEPTEMBER 2017**

DOEL VAN VERSLAG

Oorweging van die maandverslag vanaf departement Finansies- en IT Dienste vir September 2017.

AGTERGROND

Verslae word soos volg aangeheg:

(i)	Kantoor van die Munisipale Bestuurder / Office of the MM	<u>Bladsy / Page</u>
	• Strategiese Dienste / Strategic Services	75 - 85
	• Administrasie / Administration	86 - 89
	• Stadsbeplanning / Town Planning	90 - 94
	• Menslike Hulpbonne / Human Resources	95 - 109
(ii)	Finansiële Dienste en Tesourie / Finance and Treasury	<u>Bladsy / Page</u>
	• Revenue	110 - 120
	• Expenditure	121 - 130
	• Budget & Treasury	
	• Budget & Performance	
	• Supply Chain and Fleet Management	131 - 147
	• ICT	

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag vanaf departement Finansies- en IT Dienste vir September 2017 aanvaar word.
That the monthly report from the department Finance- and IT Services for September 2017 be accepted.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE / RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*

BESLUIT BK191/2017

Dat die Finansies- en IT Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

7.3.2 **QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION AND OVERSIGHT REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2017 (DFS)**

PURPOSE OF REPORT

The accounting officer must, within 10 days of the end of each quarter, submit a report on the implementation of the Supply Chain Management Policy to the mayor.

The purpose is to report to the Mayor in terms of section 6(3) of the Supply Chain Management Regulations on the implementation of the Supply Chain Management Policy for the first quarter from **1 July 2017 - 30 September 2017**, in order to strengthen Council's oversight role.

Implementation of Supply Chain Management Policy

The Supply Chain Management Policy was revised and adopted by Council in March 2017 to fully comply with the SCM Regulations. The SCM Policy has been reviewed by incorporating the legislative amendments and recommendations by the Auditor-General and Provincial Treasury to give effect to the compliance aspect.

This will enable the Supply Chain Management Unit (SCMU) to further streamline procedures and processes to promote more efficient and effective service delivery to all internal and external stakeholders.

Committees

The bid committees are established and are fully functioning fully according to Council's SCM Policy and the SCM Regulations. The committees are listed below:

- Bid Specification Committee (BSC)
- Bid Evaluation Committee (BEC)
- Bid Adjudication Committee (BAC)

For detailed information on the Quarterly Supply Chain Management Implementation and Oversight Report for the period ended 30 September 2017, see **page 148 to 173**.

MANAGEMENT RECOMMENDTION

That Council take note of the Quarterly Supply Chain Management Implementation and Oversight Report for the period ended 30 September 2017.

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

That Management's recommendation be accepted.

RESOLUTION BK192/2017

That the recommendation of the Finance- and IT Services Committee be accepted as resolution of the Mayoral Committee.

7.3.3 **WAARDASIE APPÈLRAAD: AANWYSING VAN LEDE VIR AANSTELLING DEUR MINISTER VIR 2017 TOT 2021-TERMYN**

DOEL VAN VERSLAG

Oorweging van aansoeke vir aanwysing van lede vir die Waardasie Appèlraad vir aanstelling deur die Wes-Kaapse Minister van Plaaslike Regering vir die tydperk 1 November 2017 tot 31 Oktober 2021.

AGTERGROND

Die aanstellingstermyn van die huidige Waardasie Appèlraad verstryk op 30 Oktober 2017. Aansoeke vir aanstelling op die Kaap Agulhas Waardasie Appèlraad het op 9 Oktober 2017 gesluit en word voorgelê vir oorweging.

'n Totaal van 9 aansoeke is ontvang en word hierna opgesom:

NAAM	GESLAG	RAS	ADRES	POSISIE WAARVOOR AANSOEK GEDOEN WORD	VEREISTE (KWALIFIKASIE)	AANBEVELING
Anneli van Zyl	V	W	Kleinmond	Voorsitter of lid	BA Law + B.Proc Aktebesorger (2003)	TWK 2009 - 2021 Drakenstein 2010 - 2021 Bergrivier 2013-2017 Kannaland 2017- 2017
Bramley J Lemine	M	C	Ocean View, Kaapstad	Voorsitter	LLB , LLM(Law)	
Marguerite Badenhorst	V	W	Bredasdorp	Voorsitter of lid	BComm (Regte), LLB, Prokureur (1998) Aktebesorger (1998) Boedelberedding, Waardeerder (vir die Meester van die Hoë Hof) Besig met MBA (US)	Verskeie kooporeenkomste, Waardasies, transporte
Mandla Mdludlu	M	B	Khayelitsha	Voorsitter	BA (Law) (LLB) BA (Law) Bluris)	Tans voorsitter (2013 - 2017) Appeal Board, Cape Winelands District to 2011 Langeberg - 2011 Stellenbosch - 2013
Marian Hahn	V		Napier	Voorsitter	BA Law Psychology, LLB (1995)	National prosecuting (1997 - 2000)
La-Jaun Persensie	M		Stellenbosch	Voorsitter	Bachelor of Laws Cert: Prov & LG Law (credits 24)	GEEN TOEPASLIKE ONDERVINDING
Henry Wiggins	M	W	Hermanus	Lid	Professionele waardeerder (cert 1980) (2017-2022) ND: Property Valuation PDP Certificate (Property Dev Program) SA Institute of Valuers - 1998	Kaapstad 2002 - 2020 KAM 2013 - 2017 TWK 2009 - 2021 Langeberg 2014- 2020 Overstrand 1999- 2009
Jan Jacobus Roux	M	W	Oakridge, Kaapstad	Lid	Professionele Waardeerder (1984) (cert 2093-2017-2022) ND: property valuation IAC: LG 1974 US Certificate: property Investment & Valuations	Waardasieraad Bredasdorp (2000) Appèlraad KAM (2003) Breede Vallei (2005)
Vennett Valentine	M	K	Bredasdorp	Lid		Kennis van plaaslike boukoste. Kennis van die hele Regsgebied. KAM 1999 - 2017
Pierre-Jeanne Gerber	M	W	Wellington	Lid	Professionele Waardeer- der (sedert 1988) (2017 - 2018) Associated Valuer (2003) SA Council of Valuers Tassateur (sedert 2001) Lid: Royal Institute of Chartered Surveyors Member of SCOPA (1994 - 2009)	Kennis van landbouwaardasies. KAM 2013 - 2017 Langeberg Drakenstein

Die Waardasie Appèlraad bestaan uit 'n Voorsitter en 'n maksimum van vier lede (Art 58(1)). Kwalifikasie-vereistes vir die onderskeie posisies is soos volg:

Voorsitter: Moet oor regskwalifikasies sowel as voldoende ondervinding van die toepassing van geregtigheid beskik.(Art 58(1)(a)).

Lede: Moet oor voldoende kennis en/of ondervinding van die waardering van eiendom beskik en ten minste een van die lede moet as 'n professionele waardeerder geregistreer wees ingevolge die Wet op Eiendom Waardeerdersprofessie, Wet 47 van 2000, wees (Art 58((1)(b)).

Die Funksies van die Waardasie Appèlraad behels die volgende:

1. Aanhoor en besluite neem oor appèlle teen insluitings of weglatings deur die munisipale waardeerder op die waardasierol van Munisipaliteit Kaap Agulhas.
2. Hersien van besluite van die munisipale waardeerder ingevolge Artikel 52 van die Plaaslike Regering: Wet op Plaaslike Eiendomsbelasting, Wet 6 van 2004.
3. Uitvoer van alle ander funksies/pligte voorsien in die Plaaslike Regering: Wet op Eiendomsbelasting, Wet 6 van 2004.

Die huidige lede wat vanaf 2013-2017 gedien het is soos volg:

Voorsitter: Adv Mandla Mdludlu

Lede: Mnre Pierre-Jeanne Gerber, Vennette Valentine, Henry Wiggins (Professionele Waardeerder)

1 x Vakature: Was mnr Pieter Luttig

FINANSIËLE IMPLIKASIE

Vergoeding bepaal volgens wetgewing en in begroting voorsien.

WETLIKE RIGLYNE

Die Plaaslike Regering: Wet op Munisipale Eiendomsbelasting, Wet 45 van 2000 met spesifieke verwysing na Artikel 58 vir die samestelling en aanstelling van die Raad.

BESTUURSAANBEVELING

Dat oorweging geskenk word aan die aanwysing van die volgende persone vir aanstelling deur die Wes-Kaapse Minister van Plaaslike Regering op Kaap Agulhas Munisipaliteit Waardasie Appèlraad, ingevolge Art 56(1):

Voorsitter: Me Anneli van Zyl

Lede: Mnre Pierre-Jeanne Gerber
Vennette Valentine
Henry Wiggins (Professionele Waardeerder)
Me Marguerite Badenhorst

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

Dat die volgende persone aangewys word vir aanstelling deur die Wes-Kaapse Minister van Plaaslike Regering op Kaap Agulhas Munisipaliteit Waardasie Appèlraad, ingevolge Art 56(1):

Voorsitter: Me Mandla Mdludlu

Lede: Mnre Pierre-Jeanne Gerber
Vennette Valentine
Henry Wiggins (Professionele Waardeerder)
Me Marguerite Badenhorst

BESLUIT BK193/2017

Dat die Finansies- en IT Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

7.3.4 **AMENDMENT: BY-LAW ON MUNICIPAL LAND USE PLANNING (MTRP - 15/5/R) (ALL WARDS)**

PURPOSE OF REPORT

For Council to approve the amendment of the Cape Agulhas Municipal By-Law on Land Use Planning 2017.

BACKGROUND

Section 156(2) and (5) of the Constitution provides that a municipality may make and administer by-laws, for the effective administration of the matters for which it has the right to administer and to exercise any power concerning a matter reasonably necessary for, or incidental to the effective performance of its functions; and

Part B of Schedule 4 to the Constitution lists Municipal Planning as local government matters to the extent set out in section 155(6)(a) and (7).

The intention is to amend the By-Law on Municipal Land Use Planning, promulgated on the 15th of July 2015 in Provincial Gazette number 7428:

SECTION	CURRENT	AMENDMENT
1		“Court” means a High Court or a District Court or Magistrates Court with jurisdiction.
90(b)	Apply to a High Court for an order -	Apply to a High Court or a District Court or a Magistrates Court with jurisdiction for an order -
92(2)	If the person or owner fails to cease the unlawful utilization of land immediately, the Municipality may apply to the High Court for an urgent interdict or any other relief necessary.	If the person or owner fails to cease the unlawful utilization of land immediately, the Municipality may apply to the High Court or a District Court or a Magistrates Court with jurisdiction, for an urgent interdict or any other relief necessary.
95(1)	A judge of a High Court or a magistrate for the district in which the land is situated may, at the request of the Municipality, issue a warrant to enter upon the land or premises or building if -	A judge of a High Court or a magistrate of a District Court or a magistrate of a Magistrates Court for the district in which the land is situated may, at the request of the Municipality, issue a warrant to enter upon the land or premises or building if -
97	Whether or not the Municipality lays criminal charges against a person for an offence contemplated in section 86, and despite section 87, the Municipality may apply to the High Court for an interdict or any other appropriate order, including an order compelling that person to -	Whether or not the Municipality lays criminal charges against a person for an offence contemplated in section 86, and despite section 87, the Municipality may apply to the High Court or a District Court or a Magistrates Court with jurisdiction, for an interdict, or any other appropriate order, including an order compelling that person to -

Council took the following decision on 25 April 2017(83/2017):

“That Council approve the proposed amendment and it shall become effective on the date of its promulgation in the Provincial Gazette.”

ADVERTISING

The proposed amendment was advertised in the local newspapers and all relevant Municipal and Provincial Departments were informed of the proposal. No comments and / or objections were received.

Section 12 of the Systems Act reads as follows:

- “(3) *No by-law may be passed by a municipal council unless -*
- (a) all the members of the council have been given reasonable notice; and*
 - (b) the proposed by-law has been published for public comment in a manner that allows the public an opportunity to make representations with regard to the 40 proposed by-law.”*

MANAGEMENT RECOMMENDATION

That Council approve the amendment and it shall become effective on the date of its promulgation in the Provincial Gazette.

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

That Management’s recommendation be accepted.

RESOLUTION BK194/2017

That the recommendation of the Finance- and IT Services Committee be accepted as resolution of the Mayoral Committee.

7.3.5 **APPEAL: DEPARTURE OF BUILDING LINES: ERF 1377, NAPIER (N1377 - TRP) (WARD 1)**

PURPOSE OF REPORT

The evaluation of the above-mentioned appeal in terms of the Standard By-Law on Municipal Planning.

Annexure A:	Locality plan	(attached on page 174)
Annexure B:	Approved Letter from Council	(attached on page 175 - 178)
Annexure C:	Building plan	(attached on page 179 - 184)
Annexure D:	Objection from surrounding owner	(attached on page 185)
Annexure E:	Appeal letter from applicant	(attached on page 186 - 187)

GENERAL INFORMATION

Appeal reference number	:	N1377
Application reference number	:	N1377/2017
Application submission date	:	22 June 2017
Application decision date	:	24 August 2017
Registered owner(s)	:	J & R Daneel

PROPERTY DESCRIPTION

Title Deed:

“Erf 140, Bredasdorp in die Kaap Agulhas Munisipaliteit, Afdeling Bredasdorp, Provinsie Wes-Kaap; GROOT 1523 (Eenduisend Vyfhonderd Drie en Twintig) Vierkante meter”..

Physical address	:	98 Sarel Cillierstreet, Napier
Existing Zoning	:	Local Business
Existing land use	:	Wine Tasting and bistro

Building plan approved : 4 September 2017
Any unauthorised land use/building work : NO
Area of Erf : 1523m²
Title Deed number & date : 96783/2005

BACKGROUND

Council received the following application:

Departure of the western lateral building line to 1.5 meter to accommodate the proposed alterations on Erf 1377 Napier.

ADVERTISING

The proposal was circulated to surrounding neighbours and Municipal Departments. The following objection were received:

L Young

SUMMARY OF COMMENTS DURING PUBLIC PARTICIPATION

Director: Community Services

No Objections.

Traffic

Geen Beswaar nie.

Director: Technical Services

Electrical

The owner will be liable for all costs regarding the upgrading of electrical services.

Waste Disposal

Vullisheffing soos in die begroting vervat sal van toepassing wees.

Water and Sewerage

No impact on services.

Streets and stormwater

No impact on streets. Should adhere to all regulations.

AUTHORISED OFFICIAL'S DECISION

On 24 August 2017 the Authorised Official took the following decision:

"The Authorised Official on 2017/08/24 approved, in whole, your application for:

Departure on Erf 1377, Napier from the 2 meter western lateral building line to 1.5 meter in order to accommodate alterations to the existing building, in terms of section 60 of the Cape Agulhas By-law on Municipal Land Use Planning."

The following appeal were received: L Young

The appeal and the comments on the appeal with the Town Planning Department are as follow:

APPELLANT	APPLICANT	TOWN PLANNING
<p>The appellant is concerned about the departure to 1.5m on the western side of the boundary.</p> <p>This particular boundary is adjacent to the appellant's property. Concern is that it would scare potential buyers away due to the lack of privacy.</p> <p>The applicant wishes to construct a braai area with the extension and the appellant with this in mind speculates that the activity that will take place will intrude on the privacy of the adjacent erf that belongs to the said appellant.</p> <p>One must think that the appellant is referring to human movement when it was referred to "activity". Appellant proposes that construction should stop and commence on the other side of the dwelling.</p>	<p>The applicant states the scullery and outdoor stoep with braai has a covered stoep and fold up doors. The applicant states that moving construction to the other side as requested will have severe financial impact on the applicant.</p> <p>Appellant refers to "activity"-applicant says no negative activity will take place since it's only the applicant and spouse occupying the dwelling and that the proposed construction will be enclosed with a roof and 2 fold up doors at each end(refer to building plan).</p> <p>Braai area will be directly behind the scullery wall (also refer to plan). Applicant says that this will give potential buyers and the owners of Erf 1377 Napier, which in this case is the applicant in this matter, privacy.</p> <p>Applicant claims that the adjacent property that belongs to the appellant and that will be affected by the construction, is the smallest part of the erf since it is on the very bottom of the appellants erf and will be not be able to build upon. Triangle-shaped form.</p> <p>If potential buyers should occupy the erf, they would only be able to build on the most upper part of the erf that will not be affected in any way to proposed construction. The properties construction is situated in the middle of mixed used which include a guest house, Bistro and a wine and art shop. Activities are taking place.</p>	<p>The appellants erf, which is Erf 341, has been subdivided and approved by the council of Cape Agulhas Municipality in 2015. The appellant occupies the upper part of said erf with a guest house.</p> <p>The applicant is adjacent to the newly subdivided plot on the bottom half of the subdivided portion of erf 341 Napier. It is triangle in shape and is inhabitable due the form of the erf.</p> <p>From a town planning point of view this will have no negative effect since potential buyers only can construct a building more to the upper side of the erf which is out of view of Erf 1377, which belongs to the applicant. As for the "activities", the potential should keep in mind that the erf is located within a mixed use area that includes a restaurant, art and crafts shop and a long running guest house that belongs to the appellant. Activities are all around and potential buyers should take all aspects into consideration.</p> <p>Furthermore, the Integrated Zoning scheme of the Cape Agulhas Municipality does provide erven to deviate from the building lines prescribed within this document. In this case, one may depart from the prescribed building lines as long as it is within the municipal laws.</p>

MOTIVATION

MUNICIPAL PLANNING EVALUATION ON APPEAL

(In)consistency with the Spatial Planning and Western Cape Land Use Management Act, 2013 (Act 16 of 2013):

The proposal must be consistent with the principles of spatial justice, spatial sustainability, efficiency, spatial resilience and good administration. Public interest, constitutional transformation imperatives, facts and circumstances of the application, rights and obligations of those affected, impact on engineering services/social infrastructure/open space requirements, inter alia, were taken into account.

(In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014):

In terms of section 49 of LUPA considerations must be given to applicable spatial development frameworks and structure plans, and the desirability of the proposal must be determined (using guidelines on desirability). In addition, the proposal must be consistent with the land use planning principles referred to section 59 (spatial justice, spatial sustainability, efficiency and good administration).

(In)consistency with the IDP/Various levels of SDF's/Applicable policies

The proposal must be consistent with the forward planning vision for the application area. Only in exceptional circumstances (e.g. plans no longer reflect the vision for the area; the deviation is warranted due to the positive impact of the proposal on the greater area, in line with the development principles indicated in SPLUMA and LUPA) should deviation from these policies and/or plans be considered.

Outcomes of investigations/applications in terms of other laws

Environmental authorisation is not required.

The desirability of the proposal

In determining desirability some of the considerations one could take into account are as follows, as indicated by SPLUMA principles in SECTION 42(1):

PRINCIPLE	EXPLANATION IN ACT	EVALUATION	INTERPRETATION	COMPLIANCE
(a) The principle of spatial justice, whereby-	(i) past spatial and other development imbalances must be redressed through improved access to and use of land;	Not applicable	<ul style="list-style-type: none"> Allocate a reasonable proportion of resources annually to the upgrading of informal settlements/ areas of poverty and deprivation. The location of new public facilities or commercial activity should specifically consider accessibility in relation to informal areas/ areas of poverty and deprivation, enabling integration, reducing barriers between communities and enabling more efficient access to facilities and opportunities. Provide, reserve, or prepare land in highly accessible locations for communal or individual entrepreneurial activity benefitting residents from poorer areas (even if the community is not "organized" to take up the opportunity today). There should be a hierarchy of these places, from a large regional market to small spaces with basic facilities (hard surfacing, water, shade, ablution facilities) at strategic locations along busy routes. 	COMPLIANT
	(ii) spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation;	This principle has no influence pertaining to this principle.		
	(iii) spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons;	The application does entail an application for Council's Special consent for a Liquor Store.		
	(iv) land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas;	The application does not aim to implement or amend any land use management system.		
	(v) land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas; and	An application of this nature is not subject to this particular principle.		
	(vi) a Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by	Though there is no proof of the impact of this type of business on the value of surrounding properties within a low income area, this principle will therefore not be considered.		

PRINCIPLE	EXPLANATION IN ACT	EVALUATION	INTERPRETATION	COMPLIANCE
	the outcome of the application;			
(b) the principle of spatial sustainability, whereby spatial planning and land use management systems must –	(i) promote land development that is within the fiscal, institutional and administrative means of the Republic;	The development will not have a negative influence on the residential or any other uses in the immediate area.	<ul style="list-style-type: none"> • Ensure the continuity and connection of core biodiversity areas, river systems and landscape elements to establish connected green and landscape networks. • Ensure that all interventions in rural areas and settlements are of an appropriate scale and nature to support rural livelihoods, whilst at that same time protecting the sense of place and the agricultural resource base. • Acknowledge the importance of heritage resources and carefully manage impacts of new development and changes. • Ensure that settlements and places are connected through at least one safe, attractive and pedestrian friendly route. • Densify urban development (while considering heritage and livelihood opportunity). • Place higher order public facilities and activity on the most important routes and smaller ones on the main route or at cross roads within communities. • Ensure that informal settlements are upgraded in terms of a "full menu of services" (including public spaces and facilities as opposed to only basic services). 	COMPLIANT
	(ii) ensure that special consideration is given to the protection of prime and unique agricultural land;	The said erf is within a mixed use area, Napier.		
	(iii) uphold consistency of land use measures in accordance with environmental management instruments;	No impact on the natural environment and therefore environmental management instruments are not applicable.		
	(iv) promote and stimulate the effective and equitable functioning of land markets;	An application of this nature is not subject to the particular principle.		
	(v) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;	No further impact on the technical and electrical services;		
	(vi) promote land development in locations that are sustainable and limit urban sprawl; and	No urban sprawl will take place.		
	(vii) result in communities that are viable;	Viable = Sustainable. .		
(c) the principle of efficiency, whereby –	(i) land development optimises the use of existing resources and infrastructure;	The proposed development will have access to municipal services, roads and infrastructure.	<ul style="list-style-type: none"> • New development areas should not be enabled unless the availability and use of public and private land already zoned for urban development has been explored. • New development should in the first instance focus on areas where existing infrastructure (both service and community facility infrastructure) capacity exists. • The possible further use of land allocated to public facilities need to be assessed in relation to actual need and usage prior to exploring new development areas (e.g. many sports facilities have large areas which are unused. Further development – e.g. through framing them with housing can assist in compacting towns and reduce the operational burden on facilities). • Cluster social facilities and activities within nodes to optimise accessibility and convenience while also improving operations, security and maintenance. 	COMPLIANT
	(ii) decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts; and	Social = Public. The social impact will be minimal to none.		
	(iii) development application procedures are efficient and streamlined and timeframes are adhered to by all parties;	The application was processed in accordance with the timeframes as determined by the different applicable legislation.		
(d) the principle of spatial resilience, whereby –	<ul style="list-style-type: none"> • flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. 	An application of this nature is not subject to the particular principle.	<ul style="list-style-type: none"> • Despite the drive for densification, residential plots need to be sufficiently large so as to accommodate the development of additional units for rental, the growing of foodstuffs, or working from home (subject to manageable impacts on neighbours). 	Not Applicable

PRINCIPLE	EXPLANATION IN ACT	EVALUATION	INTERPRETATION	COMPLIANCE
			<ul style="list-style-type: none"> Government/ municipal housing typologies should be designed to enable ready and affordable extension. Ensure that the interface between green space and development is well designed so that open space is overlooked and not edged by the "backs" of development and blank edges (in this way contributing to surveillance and security). 	
(e) the principle of good administration, whereby –	(i) all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;	An application of this nature has a localized impact and not of Provincial and National interest.	<ul style="list-style-type: none"> The motivation for new development applications need to specifically address SPLUMA principles. 	Comply
	(ii) all government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;	All municipal departments gave their input; the spatial development framework has to address this type of development.		
	(iii) the requirements of any law relating to land development and land use are met timeously;	The application was processed in accordance with the timeframes as determined by the different applicable legislation.		
	(iv) the preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them; and	The community was given the opportunity to comment and a whole list of objections were received.		
	(v) policies, legislation and procedures must be clearly set in order to inform and empower members of the public.	Members of the public was informed.		

REASONS FOR RECOMMENDATION

1. Impact on existing municipal services will be minimal.
2. Impact on traffic condition will not be influenced negatively.
3. No basic environmental assessment will be issued, due to the fact that no regulations will be triggered.
4. The Cape Agulhas Municipality-Integrated Zoning Scheme makes provisions for Departures of Building Lines throughout the various zoning differentials.

MANAGEMENT RECOMMENDATION

- (i) That Council upheld the decision of the Authorised Official dated 24 August 2017.
- (ii) That the appellants be informed accordingly.

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

- (i) That Management's recommendation be accepted.
- (ii) That the building lines be reduced to point 1.5 metres (with no openings in the wall on the neighbour's side).

RESOLUTION BK195/2017

That the recommendation of the Finance- and IT Services Committee be accepted as resolution of the Mayoral Committee.

7.3.6 **HERSONERING, ONDERVERDELING EN FASERING: ERF 857, STRUISBAAI (S857 - BSSB) (WYK 5)**

DOEL VAN VERSLAG

Die evaluering van bogenoemde aansoek ingevolge die bepalinge van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985).

Die ligging van die eiendom word aangetoon op die plan aangeheg as Bylaag A op **bladsy 188**.

ALGEMENE INLIGTING

Bestaande Sonering - Erf 857	:	Onbepaald
Voorgestelde Sonering	:	Onderverdelingsgebied
Voorgestelde Grondgebruik	:	Behuising vir bestaande inwoners
Oppervlakte van Erf 857	:	165,8555Ha
Oppervlakte van voorgestelde ontwikkeling	:	±19.3Ha
Titelakte van Erf 857	:	T7823/1991

TITELBEPERKINGS

Daar is geen titelvoorwaardes in die titelaktes wat die voorgestelde behuisingsontwikkeling beperk nie.

AGTERGROND

Die aansoek behels die volgende:

1. Onderverdeling in terme van Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie no. 15 van 1985) van Erf 857 Struisbaai in twee gedeeltes: Restant = ±146.7Ha en Gedeelte 1 = ±19.3Ha.
2. Hersonering van Gedeelte 1 van Erf 857 Struisbaai na Onderverdelingsgebied in terme van Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie no. 15 van 1985).
3. Onderverdeling in terme van Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie no. 15 van 1985) van Gedeelte 1 van Erf 857 Struisbaai vir die volgende doeleindes:

Details	Erwe	Sonering
Residensiële erwe	437	Enkel Residensiëel
Oop ruimte	1	Oop Ruimte
Kleuterskole / Kerk	2	Publiek en Sosiaal
Besigheid	3	Sakesone
Paaie	1	Straat

FASERING VAN DIE PROJEK

Die onderwerp eiendom is wes van die Hoofweg in Struisbaai. Die ontwikkeling is omtrent 200 meter wyd en is parallel met die Hoofweg. Die area is relatief plat en word nie gekenmerk deur vleilande nie. Die Munisipale vullisterrein is ongeveer 400 meter wes van die voorgestelde terrein en ESKOM se kraglyne hardloop in 'n noord-suid rigting oor die onderwerp eiendom.

Die behuisingsontwikkeling bied 'n uitstekende geleentheid om die lewenskwaliteit van 'n groot deel van die Struisbaai behoeftige gemeenskap te verbeter. Eienaarskap van behuising dra by tot stabiliteit binne gemeenskappe en verskaf 'n basis vir ekonomiese ontwikkeling, familiesorg, eiewaarde en trots.

ADVERTERING

Die aansoek is op 10 Julie 2015 in die Suidernuus en die Provinsiale Koerant geadverteer, terwyl kommentare van omliggende grondeienaars aangevra is op 10 Julie 2015.

BESWARE

Die volgende besware is ontvang (aangeheg as Bylaag B op *bladsy 190 tot 197*).

KOMMENTAAR

WYKSKOMITEE: 5

Noted.

DEPARTEMENT OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING

ENVIRONMENTAL AUTHORISATION

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Amendment Regulations, 2010, and EIA Regulations, 2014 (as amended), the competent authority herewith **grants environmental authorisation** to the applicant to undertake the list of activities specified in section B below with respect to the Preferred Alternatives, namely Location Alternative 1 and Layout Alternative 3, described in the Basic Assessment Report ("BAR") dated June 2017.

The granting of this environmental authorisation is subject to compliance with the conditions set out in section E below.

E. CONDITIONS OF AUTHORISATION

1. This environmental authorisation is valid for a period of **five years** from the date of issue. The holder must commence with the listed activities within the said period or this environmental authorisation lapses and a new application

for environmental authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the environmental authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the environmental authorisation.

2. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days from the date the applicant notified the registered interested and affected parties ("I&APs"). In the event that an appeal is lodged with the competent authority, the effect of this environmental authorisation is suspended until such time as the appeal is decided.
3. The applicant must in writing, within 12 (twelve) calendar days of the date of this decision and in accordance with regulation 10(2)–
 - 3.1 notify all registered Interested and Affected Parties ("I&AP's") of –
 - 3.1.1 the outcome of the application;
 - 3.1.2 the reasons for the decision as included in Annexure 1;
 - 3.1.3 the date of the decision; and
 - 3.1.4 the date of issue of the decision;
 - 3.2 draw the attention of all registered I&AP's to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the EIA Regulations, 2010 detailed in section F below;
 - 3.3 draw the attention of all registered I&AP's to the manner in which they may access the decision;
 - 3.4 publish a notice in the newspapers contemplated in Regulation 54(2)(c) and (d), and which newspaper was used for the placing of advertisements as part of the Public Participation Process ("PPP"), that–
 - 3.4.1 informs all I&AP's of the decision;
 - 3.4.2 informs all I&AP's where the decision can be accessed;
 - 3.4.3 informs all I&AP's that an appeal may be lodged against the decision in terms of Chapter 7 of the EIA Regulations, 2010; and
 - 3.5 Provide the registered I&APs with:
 - 3.5.1 The name of the holder (entity) of this Environmental Authorisation;
 - 3.5.2 The name of the responsible person for this Environmental Authorisation;
 - 3.5.3 The postal address of the holder;
 - 3.5.4 The telephonic and fax details of the holder; and
 - 3.5.5 The e-mail address if any.
4. Seven calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities.

- 4.1. The notice must make clear reference to the site details and EIA Reference number given above.
- 4.2. The notice must also include proof of compliance with the following conditions described herein:
Conditions: 2, 3, 12, 17, 18 and 19.
5. The holder is responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
6. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
7. The draft Environmental Management Programme ("EMP") submitted as part of the application for environmental authorisation is hereby approved and must be implemented.

The EMP must be included in all contract documentation for all phases of implementation.

Should any amendments to the EMP be required before an audit is required in terms of this environmental authorisation, the applicant must:

- o notify the competent authority of its intention to amend the EMP at least 60 days prior to the submission of the application for amendment to the EMP;
 - o obtain comment from potential I&APs, including the competent authority, by using any of the methods provided for in the NEMA for a period of at least 30 days; and
 - o submit the amended EMP to the competent authority for approval within 60 days of inviting comments on the proposed amendments.
8. A copy of the environmental authorisation and EMP must be kept at the site where the listed activities will be undertaken. Access to the site referred to in section C above must be granted and, the environmental authorisation and EMP must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The environmental authorisation and EMP must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.
 9. The applicant must submit an application for amendment of the environmental authorisation to the competent authority where **any detail with respect to the environmental authorisation must be amended, added, substituted, corrected, removed or updated**, save that such application for amendment shall not include the personal details of the holder of the environmental authorisation.

- 9.1. Where an amendment relates to the change of ownership or transfer of rights and obligations, the applicant must:
 - 9.1.1. submit an amendment application to the competent authority stating that he/she wishes the rights and obligations contained herein to be transferred, and including (a) confirmation that the environmental authorisation is still in force (i.e. that the validity period has not yet expired or the activity/ies was/were lawfully commenced with); (b) the contact details of the person who will be the new holder; (c) the reasons for the transfer; and (d) an originally signed letter from the proposed new holder acknowledging the rights and obligations contained in the environmental authorisation and indicating that he/she has the ability to implement the mitigation and management measures and to comply with the stipulated conditions.
 - 9.1.2. The competent authority will issue an amendment to the new holder either by way of a new environmental authorisation/s or an addendum to the existing environmental authorisation/s if the transfer is found to be appropriate.
- 9.2. Any changes to, or deviations from the scope of the description set out in Section B above must be approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such approval or not, the competent authority may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.
10. Non-compliance with a condition of this environmental authorisation and EMP may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.
11. Notwithstanding this environmental authorisation, the holder must comply with any other statutory requirements that may be applicable to the undertaking of the listed activities.
12. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, for the construction phase of implementation before commencement of any land clearing or construction activities to ensure compliance with the EMP and the conditions contained herein.
13. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a landfill licensed in terms of the applicable legislation.

14. No surface or ground water may be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
15. The applicable requirements with respect to relevant legislation pertaining to occupational health and safety must be adhered to.
16. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

17. The construction area must be clearly demarcated and strictly observed to ensure all construction activities and machinery is limited to the disturbance footprint of the site.
18. A minimum buffer zone of 200m must be maintained between the landfill site and the nearest residential area, i.e the western edge of the development.
19. A search and rescue operation to remove any tortoises on the site must be undertaken prior to commencement of clearing activities under the supervision of a suitably experienced and qualified ecologist. All specimens removed must be recorded and relocated to the adjacent areas that are not subject to transformation.
20. The following recommendations included in the Transport Statement and its addendum, compiled by ITS Engineers, dated December 2015 and February 2017 respectively, must be implemented:
 - 20.1. Southbound right-turn lanes must be provided at all the development accesses along the MR261.
 - 20.2. The aforementioned right-turn lanes must have a minimum storage lane length of 30 meters plus acceptable active and passive tapers.
 - 20.3. Street lighting must be provided at all development intersections, especially along the provincial road, to improve pedestrian visibility.
 - 20.4. At least one of the site intersections along the MR261 must be upgraded to a single lane roundabout with a minimum inscribed diameter of 32 meters.

- 20.5. A sidewalk, at least 2 meters wide, must be provided along the MR261 site frontage.
 - 20.6. Pedestrian sidewalks of a width of at least 2 meters must be provided along all internal roads of the development on both sides of the road.
 - 20.7. A boundary fence must be constructed between intersections along the MR261.
 - 20.8. A bus/taxi embayment must be provided along the MR261 on both the downstream sides of development access. The minimum design requirements of this facility must be approved by the provincial roads authority.
 - 20.9. The two intersections along the Landfill Site Access Road must be raised intersections, no less than 80 meters apart with on/off ramps of 2 meters in length and the maximum height of 80mm above the natural road level.
 - 20.10. Appropriate road signs must be provided along the Landfill Access Road to indicate pedestrian movement and warn motorists.
21. Landscaping and urban design features of the development must be monitored on an ongoing basis and adhere to the urban design and landscaping plans incorporated into the preferred development layout.

BREDE GOURITS OPVANG BESTUURSGEBIED

The Breede-Gouritz Catchment Management Agency (BGCMA) in principle has no objection to the application for sub-division and rezoning, subject to the following conditions:

- All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
- No pollution of surface water or groundwater resources may occur due to any activity on the property.
- No storm water runoff from any premises containing waste, or water containing waste emanating from industrial activities and premises may be discharged into a water resource.
- All relevant sections and regulations of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) regarding the disposal of solid waste must be adhered to. Solid waste may only be disposed of onto an authorized solid waste facility in terms of abovementioned legislation.
- The minimizing of waste must be promoted and alternative methods for waste management must be investigated.
- No permanent structures may be constructed within the 100-year flood line of any watercourse (seasonal or permanent river, stream, etc.).
- No additional use of surface water and/or storage of water is permitted, unless the applicant has formally obtained a license in terms of Section 41 of the National Water Act (Act 36 of 1998) and/or formal authorization in terms of General Authorizations issued under Section 39 (Government Notice 399 dated 26 March 2004), and/or if it is authorized under Schedule 1 of the National Water Act, 1998 (Act 36 of 1998).

TELKOM

I hereby inform you that Telkom approves the proposed work indicated on your drawing in principle. This approval is valid for 12 months only, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

As per the drawing supplied, Telkom SA LTD infrastructure will be affected, consequently the conditions below and on the attached legend will apply.

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

DEPARTMENT OF AGRICULTURE

Land Use Management

The Western Cape Department of Agriculture has no objection to the proposed subdivision and rezoning on above mentioned property.

DEPARTMENT MINERAL RESOURCES

Note that according to the records of this office there are no existing mining/prospecting rights on the above-mentioned property. Further note that your application has been forwarded to other components within the Department for further investigation, we will inform you of the final outcome in due course.

ESKOM

Eskom has no objection to the abovementioned application, provided the following conditions are adhered to:

- a) Eskom's servitude right over this property remains in force.
- b) The following building and tree restriction on either side of centre line of overhead power line must be observed:

Voltage	Building restriction either side of centre line
11kV	9.0 m

- c) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism.

- d) No work or no machinery nearer than the following distances from the conductors:

Voltage	Not closer than:
11kV	3.0 m

- e) Natural ground level must be maintained within Eskom reserve areas and servitudes.

- f) That a minimum ground clearance of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11kV	6.3 m

- g) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.
- h) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
- i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- i) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- j) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- k) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- l) Eskom shall at all times have unobstructed access to and egress from its services.
- m) Any development which necessitates the relocation of Eskom's services will be to the account of the developer.
- ~~n) Kay-Ann Olfers-Bredasdorp GNC must be contacted on 028 425 1333 before working in close proximity to the overhead power lines.~~

COMMISSION ON RESTITUTION OF LAND RIGHTS

Portion 1 of Erf 857 Struilsbaal

We thank you for your letter received on 03 August 2015 with respect to Restitution claims against the above property.

The Office has done a check on the databases for the above-mentioned property and advise that no claims have been lodged on this property.

However, the Commission hereby wishes to place on record the following:
Claims are lodged with the Commission in accordance with the historical and / or present properties descriptions of the dispossessed properties and therefore may not match the current properties descriptions as described by you in respect of the above-mentioned properties.

However, if the historical description of any of the above properties has changed since 1913, or you are aware of any other local or official name by which it was then described or currently known, kindly supply us with such information so as to enable to do a further search.

Furthermore, the office Regional Land Claims Commissioner: Western Cape do not have any objection to application for subdivision and rezoning of the mentioned property.

TRANSPORT AND PUBLIC WORKS

Roadnetwork Management

2. The subject property is located in Struisbaai, adjacent to Main Road 261.
3. This application is for the following:-
 - 3.1 Subdivision of the property into Portion 1 (\pm 19 ha) and Remainder (\pm 1 47ha);
 - 3.2 Rezoning of Portion 1 into Subdivisional Area and
 - 3.3 Subdivision of Portion 1 into the following:-
 - 3.3.1 437 Residential erven;
 - 3.3.2 2 Civic and Social Erven;
 - 3.3.3 3 Business Erven and
 - 3.3.4 Transport Erf.
4. It is noted that a Traffic Impact Assessment has not been undertaken. A development of this size requires a TIA to investigate the impact on the transport infrastructure and to recommend mitigation measures.

CAPE NATURE

Your requests for comment on the abovementioned application by the Cape Agulhas Municipality dated 10 July 2015 and received by CapeNature on 15 July 2015, refers.

CapeNature would like to thank you for the opportunity to comment on the proposed subdivision and rezoning on Erf No. 857, Struisbaai to allow for residential development (on the proposed newly created Portion No. 1 of Erf No. 857) and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the proposed activity.

Based on the information provided, it appears as if the abovementioned application is for the same development as an application for environmental authorisation submitted to the Department of Environmental Affairs and Development Planning ("DEA&DP") (Ref: 16/3/1/1/E1/13/2101/14). CapeNature provided comments on the application to the DEA&DP on 5 December 2014. As these comments are still relevant to this application, they have been attached to this letter and should be deemed as comments on this application. For your convenience, the comments are summarised below:

CapeNature **does not support** the application in its current format and suggests the following:

- Alternatives, including site alternatives, need to be assessed in full as a large part of the property in question is classified as a Critical Biodiversity Area in the Overberg Conservation Plan, the loss of which is not supported by CapeNature.
- The biodiversity baseline survey must be amended to include a map of the variation of the conservation value across the site, as well as a map indicating habitats or vegetation communities, to allow for the determination of the most suitable layout for the activity. This comment also applies to any other alternatives investigated.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

OVERBERG DISTRIKSMUNISIPALITEIT: OMGEWINGSAFDELING

The Environmental Management section takes cognisance of the application and value the opportunity to submit inputs.

The cultural- historic heritage of the town is of immense value to its sense of place, pride of the local community and the promotion of tourism. Therefore the proposed development should ensure that cultural-historic importance, such as the old buildings at Hot Agter Klip will be protected and maintained during the construction- and operational phase.

Effort should be made to identify rare and endangered species within the construction area and relocate these species to an area outside of the construction area. If any Milkwood trees occur on site it is important to note that the trees may not be removed or disturbed and that site layout should be planned according to the location of any Milkwood trees.

The proposed development should be designed in a manner which will ensure that existing services such as road infrastructure, water supplies and waste- and sewage disposal will not be overloaded and maintained in a sustainable manner. Confirmation from the Local Municipality should be obtained that the necessary upgrades to service infrastructure have been included during the budget process.

Omgewingsgesondheid

U aandag word op die volgende gevestig:

- Die Minimum Vereistes deur Departement Waterwese en Bosbou gestel, bepaal dat die stortingsterrein nie nader as 500m van die naaste woonplek mag wees nie.
- Hierdie departement spreek sy kommer uit oor die beskikbare waterbronne in Struisbaai.
- Is die Riolwerke geskik om die addisionele lading te kan hanteer?

ERFENISKOMITEE

5857(Collab 139529)

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Struisbaai.

Behuising Uitbreiding.

Aanbeveel om die gebied Suid van die pad na die stort terrein te verklein om meer omgewings vriendelik te wees vir die Hotagterklip Erfenis Atrea.

Die voorgestelde uitbreiding sal die oop area om die bestaande geboue amper verswelg.

DIREKTEUR: FINANSIËLE DIENSTE

Kennis geneem en geen insette.

DIREKTEUR: GEMEENSKAPSDIENSTE

No problem as long as town planning requirements are met.

Verkeershoof

Neem kennis van aansoek.

DIREKTEUR: SIVIELE INGENIEURSDIENSTE

Onderverdeling en hersonering word ondersteun. Erwe kan ontwikkel word maar daar sal in die toekoms moet gekyk word om die waterbronne uit te brei.

Reiniging en Suiwering

Heffings sal van toepassing wees. Herwinningsmateriaal moet van nat vullis geskei word. Vullishokke moet toeganklik wees vir kollektoring.

Water en Riool

Addisionele boorgate sal ontwikkel moet word alvorens konstruksie van wonings begin word.

Op 12 Oktober 2017 is die volgende kommentaar ontvang. Geen boorgate is nog ontwikkel nie. Dit gaan 'n proses wees.

Strate en Stormwater

Voorsien geen wesenlike probleem.

Elektrisiteit

Daar is 'n bestaande 11 meter serwituit vir die 11kV inkomende voer vanaf Eskom. Die serwituit sal moet verdubbel word na 22 meter om voorsiening te maak vir die tweede voer vanaf Eskom. Die serwituit kan na die westekant toe vergroot word. Die invoer substasie sal geskuif moet word na die Eskom sub toe anders sal dit op 'n eie voer aangesluit moet word.

Boubeheerbeampte

Die aansoek word ondersteun.

Bestuurder: Stads- en Streekbeplanning

Die besware ontvang met kommentare word aangeheg as Bylaag C op **bladsy 198 tot 201**.

Ingevolge Artikel 36 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) mag grondgebruikaansoeke slegs op die grondslag van gebrek aan wenslikheid van die beoogde aanwending van die betrokke grond, of op die grondslag van die uitwerking daarvan op betrokke bestaande regte (uitgesonderd enige beweerde reg op beskerming teen handelkonkurrensie), geweier word. Indien 'n aansoek nie geweier word op grond van 'n gebrek aan wenslikheid nie, mag, by die oorweging van tersaaklike besonderhede, slegs die veiligheid en welsyn van die lede van die betrokke gemeenskap, die bewaring van die betrokke natuurlike en ontwikkelde omgewing of die uitwerking van die aansoek op betrokke bestaande regte (uitgesonderd enige beweerde reg op beskerming teen handelkonkurrensie) in ag geneem word.

Vanuit 'n stadsbeplanningsoogpunt word die aansoek as wenslik beskou, en word die aansoek aanbeveel weens die volgende redes:

1. Character of the surrounding area

The proposed housing initiative responds to the immediate context and can be considered as an extension of residential development. The revised layout responds positively to the typical larger block layout as evident within the surrounding context. The layout responds well to the grain and distribution of residential units.

The proposed development will ensure a positive spatial response between the various elements of the historic landscape and will ensure that resources are not fragmented within the landscape. The aesthetic value of the context will not be compromised as consideration has been given to slope, the views and house types. The proposed development is therefore consistent with the surrounding character.

2. Location and accessibility of site

The location and accessibility to the subject property has been shown to be excellent for the proposed development, as it is located on Main Road, a main collector road.

3. Consistency with existing policy framework

The proposed development is consistent with existing planning policies applicable to the study area.

The Breaking New Ground and Western Cape Human Settlement Strategy both advocate the delivery of sustainable housing to communities in need. The development of the application area will ensure access to affordable well-located housing. The proposed development is consistent with the proposals contained in the Cape Agulhas Spatial Development Framework by utilising this in-fill opportunity within the current urban edge.

4. Impact on existing rights

The zonings of the area to the west of the application area is predominantly residential. The proposed residential zoning is therefore compatible with the zonings within the surrounding area.

5. Safety and Welfare of the community

All technical requirements such as service provision and traffic can be accommodated in the development. All issues related to safety and community welfare has therefore been addressed.

6. Conservation of the natural and built environment

Environmental concerns are addressed within the Environmental Authorisation. Particular care has been taken with the proposed design of the development to ensure it contributes positively to the area. The proposed development can be regarded as urban infill within the urban edge which contributes to the optimum use of available land. The proposed development should not have any significant impact on the natural or built environment.

BESTUURSAANBEVELING

(i) Dat die Raad goedkeuring ingevolge Artikel 25(1) en 16 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) verleen vir die volgende:

1. Onderverdeling in terme van Artikel 25 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie no. 15 van 1985) van Erf 857 Struisbaai in twee gedeeltes: Restant = ± 146.7 Ha en Gedeelte 1 = ± 19.3 Ha.
2. Hersonering van Gedeelte 1 van Erf 857 Struisbaai na Onderverdelingsgebied in terme van Artikel 16 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie no. 15 van 1985).
3. Onderverdeling in terme van Artikel 25 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie no. 15 van 1985) van Gedeelte 1 van Erf 857 Struisbaai vir die volgende doeleindes:

Details	Erwe	Sonering
Residensiële erwe	397	Enkel Residensieel
Oop ruimte	13	Oop Ruimte
Kleuterskole / Kerk	2	Publiek en Sosiaal
Besigheid	3	Sakesone
Paaie	1	Straat

- (ii) Bogenoemde goedkeuring is onderhewig aan die volgende voorwaardes, neergelê ingevolge artikel 42 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985):
1. Dat geen aktiwiteite wat 'n openbare oorlas tot gevolg kan hê mag uitgeoefen word nie.
 2. Dat bouplanne van alle strukture by die Raad ingedien word vir goedkeuring voordat konstruksie in aanvang neem nadat dienste voltooi is en aanvaar is.
 3. Dat die nuutgeskepte erwe herwaardeer en diensooreenkomstig belas word.
 4. Dat die Raad voorsien word van die goedgekeurde Landmeter-Generaal diagramme en/of Algemene Planne.
 5. Dat gesondheidsvereistes aan voldoen word wat van tyd tot tyd deur die Raad neergelê mag word.
 6. Dat die aansoeker/ontwikkelaar verantwoordelik sal wees vir alle interne- en eksterne dienste wat uit hierdie aansoek mag voortspruit.
 7. Dat enige bestaande serwitute wat uit die titelaktes mag voortspruit gehandhaaf word.
 8. Dat die dienste-ontwerp opgestel word en aan die Raad voorgelê word vir goedkeuring en dat die ontwerp volgens die riglyne van "Guidelines for the Provision of Engineering Services in Residential Townships" uitgegee deur die Departement van Openbare Werke en Grondsake, gedoen word.
 9. Dat geen konstruksie sal in aanvang neem voordat die planne deur die Raad goedgekeur is nie.
 10. Dat die Raad voldoende geskikte water beskikbaar stel om die ontwikkeling te bedien, welke water deur die Raad op sodanige punt of punte op die grens van die ontwikkeling gelewer sal word wat die geskikste vir die Raad is, vir aansluiting by die eksterne verspreidingsstelsel wat die dorp bedien.
 11. Dat 'n voltooiingsertifikaat deur 'n Ingenieur ingehandig word, waarin gesertifiseer word dat toepaslike toetse uitgevoer is en dat die werke aan die nodige SABS standaard voldoen en dat oornamespeksies deur die Raad gedoen word sodra die werke bevredigend voltooi is, al is die dorpsregister nog nie geopen nie, sodat die retensieperiode in aanvang kan neem. Gedurende die retensieperiode van twaalf maande is die ontwikkelaar verantwoordelik vir die herstel en vervanging van enige ontwerpfoutes asook gebreke in die doeltreffende funksionering van die werke, wat aan die lig kom en enige gebreke in materiale of vakmanskap.
 12. Dat die Raad na die proklamasie van die ontwikkeling op sy koste alle huishoudelike vullis, in ooreenstemming met sy verordeninge, te verwyder en sal eie reëlings met die eienaars of kopers van erwe in die ontwikkeling vir die verwydering van sodanige vullis tref.
 13. Dat geen oordrag van 'n erf aan individue sal toegelaat word nie, voordat alle dienste, uitgesonderd septiese tenks, tot bevrediging van die Raad geïnstalleer is nie.
 14. Dat alle stormwater aansluit by die bestaande stelsel.
- (iii) Dat die aansoeker/eienaar en beswaarmakers in kennis gestel word van die Raad se besluit.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

Dat hierdie aangeleentheid terug verwys word vir verdere ondersoek.

BESLUIT BK196/2017

- (i) Dat die Finansies- en IT Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.
- (ii) Die Komitee neem kennis van Raadslid Burger se versoek vir die beskikbaarstelling van meer spasie vir kleuterskole en speelareas vir kinders.

12. **ONAFGEHANDELDE UBK BESLUITE**

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
BK195/2013	Oorname van Elim Stortingsterrein (16/5/R)	(i) Met ODM onderhandel word alvorens oordrag plaasvind. (ii) Na 2014/2015 begroting verwys word.	<i>Tydens 'n vergadering tussen DEA, KAM, ODM en die Morawiese Kerk het die kerk besluit dat die stortingsterrein gesluit word. Vullis word per bakke karwy na Bredasdorp stortingsterrein.</i>	DSID
BK11/2014	Pad na Suiderstrand (16/3/3/2)	(i) In gesprek getree word met relevante rolspelers vir oorweging van 'n moontlike memorandum van ooreenkoms. (ii) Na afhandeling van die memorandum van ooreenkoms daar by die Provinsiale Minister van Publieke Werke aansoek gedoen word vir eksterne befondsing om die pad te herstel.	<i>SANPARKE gaan 1,2km van die pad plavei binne 2016/17 finansiële jaar. Wyksraadslid het reeds versoek om befondsing aan die minister gerig.</i>	DSID
BK141/2016	Erf 17, Swartstraat, Bredasdorp Behuising	(i) Dat die Land Disposal Committee 'n terplaatsse ondersoek doen op erf 17, Bredasdorp (bekend as Swartstraat 17, Bredasdorp). (ii) Dat die Komitee met 'n voorstel na die Raad kom oor die toekoms van die genoemde terrein. (iii) Dat geen toekenning van huise gedoen word alvorens die Raad die verslag van die Land Disposal Committee oorweeg het nie. (iv) Dat die twee beskikbare huisies aan die volgende persone op die waglys beskikbaar gestel word.		LDC/DKD
BK18/2017	Publieke strate en oopruimtes: Suiderstrand	Dat 'n prokureur aangestel word om die geïdentifiseerde eiendomme aan die munisipaliteit oor te dra in terme van 'n endossement van die gemelde Art 16 van die Wet op Registrasie van Aktes.	<i>Mnr Kruger & Blignaut besig met oordragte.</i>	BSSB

BESTUURSAANBEVELING

Dat die Komitee kennis neem van die onafgehandelde besluite.

BESLUIT BK197/2017

- (i) Dat die Bestuursaanbeveling as besluit van die Burgemeesterskomitee aanvaar word.
- (ii) Dat kennis geneem word dat besluit BK141/2016 afgehandel is en van die lys verwyder moet word.

Hierna gaan die Komitee In Komitee om sake van vertroulike aard te bespreek.

BEKRAGTIG op hierdie

dag van

2017

BURGEMEESTER

DATUM: